

# FEDERAL REGISTER

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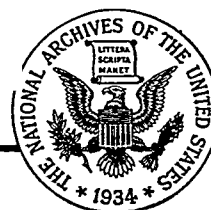
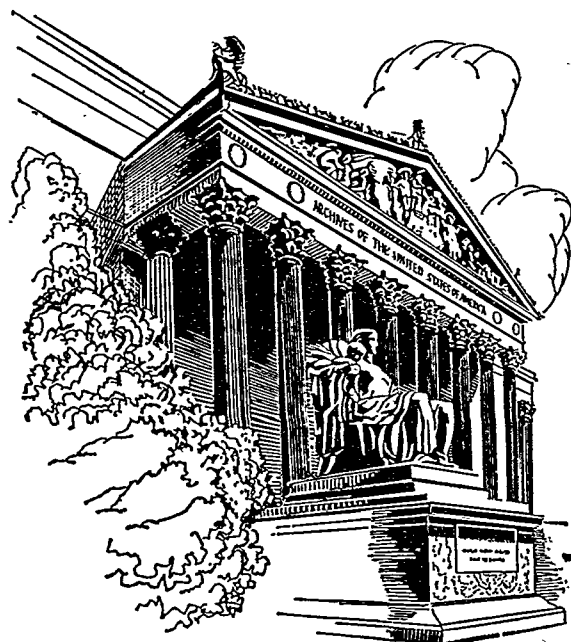
Friday, January 31, 1969 • Washington, D.C.

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Conservation Service  
Civil Aeronautics Board  
Civil Defense Office  
Civil Service Commission  
Consumer and Marketing Service  
Federal Aviation Administration  
Federal Communications Commission  
Federal Highway Administration  
Federal Power Commission  
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### Chapter I—Federal Aviation Administration, Department of Transportation

#### SUBCHAPTER C—AIRCRAFT

[Docket No. 8154; Amdt. 39-715]

### PART 39—AIRWORTHINESS DIRECTIVES

#### Beech Model 18 Airplanes

Amendment 39-419 (32 F.R. 7205), AD 67-16-1, as amended by Amendments 39-430 (32 F.R. 8024), 39-437 (32 F.R. 8957), 39-441 (32 F.R. 9641) and 39-643 (33 F.R. 12178), requires repetitive inspection at four locations of the elliptical front spar lower cap of the wing center section of certain Beech model airplanes. Subsequent to the issuance thereof, Beech Model RC-45J (SNB-5P) airplanes were type certificated by the Federal Aviation Administration in January 1969. The elliptical front spar lower cap in these airplanes is identical to those presently covered by AD 67-16-1. Consequently, it is necessary to amend the applicability statement of the AD to include this model airplane.

Since immediate action is required in the interest of safety, compliance with the notice and public procedure provision of the Administrative Procedure Act is not practical and good cause exists for making this amendment effective in less than thirty (30) days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-419 (32 F.R. 7205), AD 67-16-1, as amended by Amendments 39-430 (32 F.R. 8024), 39-437 (32 F.R. 8957), 39-441 (32 F.R. 9641), and 39-643 (33 F.R. 12178), is amended as follows:

The applicability statement is amended to read as follows:

**BEECH MODELS** C18S, AT-11, C-45, C-45A, UC-45B, UC-45F, AT-7, AT-7A, AT-7B, AT-7C, JRB-1, JRB-2, JRB-3, JRB-4, SNB-1, SNB-2, SNB-2C, D18S, D18C, C-45G, TC-45G, C-45H, TC-45H, TC-45J (SNB-5), JRB-6, E18S, E18S-9700, G18S, H18 (Aircraft Serial Nos. BA-580, BA-618 through BA-730), 3N, 3NM, 3TM and RC-45J (SNB-5P) airplanes and to aircraft of the above models subsequently redesignated under a supplemental type certificate, except those modified under STC SA 1192 WE.

This amendment becomes effective February 1, 1969.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, 1423; sec. 6(c), Department of Transportation Act; 49 U.S.C. 1655(c))

Issued in Kansas City, Mo., on January 22, 1969.

DANIEL E. BARROW,  
Acting Director, Central Region.

[F.R. Doc. 69-1266; Filed, Jan. 30, 1969; 8:45 a.m.]

[Docket No. 67-CE-4-AD; Amdt. 39-716]

### PART 39—AIRWORTHINESS DIRECTIVES

#### Beech Model 18 Airplanes

Amendment 39-368 (32 F.R. 3971), AD 67-8-2, as amended by Amendment 39-408 (32 F.R. 6914), requires repetitive inspection at two locations of the elliptical front spar lower cap of the outboard wing panel of certain Beech model airplanes. Subsequent to the issuance thereof, Beech Model RC-45J (SNB-5P) airplanes were type certificated by the Federal Aviation Administration in January 1969. The elliptical front spar lower cap in these airplanes is identical to those presently covered by AD 67-8-2. Consequently, it is necessary to amend the applicability statement of the AD to include these model airplanes.

Since immediate action is required in the interest of safety, compliance with the notice and public procedure provisions of the Administrative Procedure Act is not practical and good cause exists for making this amendment effective in less than thirty (30) days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-368 (32 F.R. 3971), AD 67-8-2, as amended by Amendment 39-408 (32 F.R. 6914), is amended as follows:

The applicability statement is amended to read as follows:

**BEECHCRAFT.** Applies to Model C18S, AT-11, C-45, C45A, UC-45B, UC-45F, AT-7, AT-7A, AT-7B, AT-7C, JRB-1, JRB-2, JRB-3, JRB-4, SNB-1, SNB-2, SNB-2C, C45G, TC-45G, C45H, TC-45H, TC-45J (SNB-5), RC-45J (SNB-5P), JRB-6, D18C, D18CT, D18S (Serial Nos. A-1 through A-440 inclusive), and D18S (Serial Nos. A-441 and up equipped with any outboard wing panel now or hereafter replaced in service) airplanes with 1,500 hours' or more time in service, except any model airplane listed herein equipped with outboard wing panels containing P/N 181410-5 tube of 0.120 inch wall thickness.

This amendment becomes effective February 1, 1969.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, 1423; sec. 6(c), Department of Transportation Act; 49 U.S.C. 1655(c))

Issued in Kansas City, Mo., on January 22, 1969.

DANIEL E. BARROW,  
Acting Director, Central Region.

[F.R. Doc. 69-1265; Filed, Jan. 30, 1969; 8:45 a.m.]

[Docket No. 69-EA-5; Amdt. 39-714]

### PART 39—AIRWORTHINESS DIRECTIVES

#### DeHavilland Type Aircraft

The Federal Aviation Administration is amending § 39.13 of Part 39 of the Federal Aviation Regulations so as to publish a revision to AD 69-2-1 which applies to DeHavilland DHC-6 Type airplanes.

This airworthiness directive was first published as a telegraphic notice and then in the FEDERAL REGISTER effective January 16, 1969. These first rules were only effective as to certain serial numbers. The purpose of this revision is to add additional numbers and vary certain inspection times. However, the substance of the revised airworthiness directive still includes a critical part of the DHC-6 airplane with its coincident aspect of air safety. This condition is likely to exist or develop in aircraft of the DHC-6 type design.

Since a situation exists that requires immediate adoption of this amendment, it is found that notice and public procedure herein are impractical and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator, 14 CFR 11.85 (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

Revise AD 69-2-1 to read as follows:  
**DEHAVILLAND.** Applies to DHC-6 Type Airplanes certificated in all categories.

To detect cracks in the wing front fittings, accomplish the following:

(a) For serial numbers 1 through 105:

(1) Prior to the next flight unless accomplished within the last 25 hours time in service, inspect the top and upper half of the outside faces of the left and right wing front fittings, P/N C6WM1031-1 and -2 for cracks using dye penetrant and a glass of at least 10-power or an FAA-approved equivalent inspection. This inspection to be repeated between 75 and 100 hours time in service after the first inspection and thereafter at intervals of 500 hours time in service or 3 months which ever occurs first.

(2) Within 25 hours time in service after the effective date of this revised airworthiness directive, unless already accomplished, remove front wing attachment nuts and reinstall nuts and tighten until stiff rotation of washers by fingers is still possible.

(b) For serial numbers 106 and subsequent:

(1) Within 100 hours time in service after the effective date of this revised Airworthiness Directive unless accomplished within the last 100 hours time in service, visually inspect the top and upper half of the outside faces of the left and right wing front fittings P/N C6WM1133-1 and -2 for cracks. This inspection to be repeated between 550 and 650 hours times in service after the initial inspection.

(2) Within 100 hours time in service after the effective date of this revised Airworthiness Directive unless already accomplished, remove front wing attachment nuts and re-install nuts and tighten until stiff rotation of washers by fingers is still possible.

(c) The repetitive inspection required by (a) may be discontinued upon installation of an unused DeHavilland F/N C6WM1133-1 and -2 or equivalent part approved by the Chief, Engineering and Manufacturing Branch, FAA Eastern Region.

(d) Replace cracked parts before further flight with an unused part of the same part number, or with an FAA-approved equivalent part.

(e) Equivalent parts and inspections must be approved by the Chief, Engineering and Manufacturing Branch, FAA, Eastern Region.

(f) The compliance times may be increased by the Chief, Engineering and Manufacturing Branch, FAA, Eastern Region, upon receipt of substantiating data submitted through an FAA maintenance inspector.

This airworthiness directive was effective January 16, 1969, and upon receipt by all recipients of the telegram dated December 31, 1968, which contained this airworthiness directive. This revision is effective February 1, 1969.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, 1423; sec. 6(c), DOT Act; 49 U.S.C. 1655(c))

Issued in Jamaica, N.Y., on January 22, 1969.

R. M. BROWN,  
Acting Director, Eastern Region.

[F.R. Doc. 69-1267; Filed, Jan. 30, 1969;  
8:45 a.m.]

#### SUBCHAPTER E—AIRSPACE

[Airspace Docket No. 68-SO-85]

### PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

#### Alteration of Control Zones, Designation of Transition Area, and Revocation of Transition Areas

On December 4, 1968, a notice of proposed rule making was published in the FEDERAL REGISTER (33 F.R. 18046), stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Fayetteville, Simmons Army Air Field, and Fort Bragg, N.C., control zones; designate the Fayetteville, N.C., transition area, and revoke the Fort Bragg and Simmons Army Air Field, N.C., transition areas.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. All comments received were favorable.

Subsequent to publication of the notice, the U.S. Air Force announced plans to decommission the Pope AFB VOR because it was no longer required to support the base mission. Decommissioning

of this VOR requires canceling AL-147-VOR-1 standard instrument approach procedure and deleting the requirement for the Fort Bragg control zone extension predicated on the Pope AFB VOR 226° radial.

Since this amendment is less restrictive in nature, notice and public procedure hereon are unnecessary and action is taken herein to alter the Fort Bragg control zone accordingly.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., April 3, 1969, as hereinafter set forth.

In § 71.171 (33 F.R. 2058), the Fayetteville, N.C., control zone (33 F.R. 2627) is amended as follows: “\* \* \* within 2 miles each side of the Fayetteville ILS localizer southwest course, extending from the 5-mile radius zone to the LOM \* \* \*” is deleted.

In § 71.171 (33 F.R. 2058), the Simmons Army Air Field, N.C. and Fort Bragg, N.C., control zones are amended to read:

#### SIMMONS ARMY AIR FIELD, N.C.

Within a 5-mile radius of Simmons AAF (lat. 35°07'55" N., long. 78°56'05" W.); within 2 miles each side of the Simmons VOR 085° radial, extending from the 5-mile radius zone to 8 miles east of the VOR, excluding the portion northwest of a line extending from lat. 35°11'15" N., long. 78°56'05" W., to lat. 35°05'55" N., long. 79°00'50" W.

#### FORT BRAGG, N.C.

Within a 5-mile radius of Pope AFB (lat. 35°10'15" N., long. 79°00'55" W.), excluding the portion within R-5311 and the portion southeast of a line extending from lat. 35°11'15" N., long. 78°56'05" W., to lat. 35°05'55" N., long. 79°00'50" W.

In § 71.181 (33 F.R. 2137), the following transition area is added:

#### FAYETTEVILLE, N.C.

That airspace extending upward from 700 feet above the surface within an 8-mile radius of Fayetteville Municipal Airport (Granite Field) (lat. 34°59'25" N., long. 78°52'50" W.); within a 10-mile radius of Pope AFB (lat. 35°10'15" N., long. 79°00'55" W.); within 8 miles northwest and 5 miles southeast of the Pope AFB ILS localizer northeast course, extending from the 10-mile radius area to 12 miles northeast of the LOM; within 2 miles each side of the 266° bearing from Simmons RBN, extending from the Pope AFB 10-mile radius area to 1 mile west of the Simmons RBN; excluding the portion within R-5311.

In § 71.181 (33 F.R. 2137), the Fort Bragg, N.C., and Simmons Army Air Field, N.C., transition areas are revoked.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348(a); sec. 6(c), Department of Transportation Act; 49 U.S.C. 1655(c))

Issued in East Point, Ga., on January 24, 1969.

GORDON A. WILLIAMS, Jr.,  
Acting Director, Southern Region.

[F.R. Doc. 69-1268; Filed, Jan. 30, 1969;  
8:45 a.m.]

[Airspace Docket No. 68-SO-94]

### PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

#### Designation of Control Zone and Transition Area

On December 10, 1968, a notice of proposed rule making was published in the FEDERAL REGISTER (33 F.R. 18301), stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would designate the Troy, Ala., part-time control zone and the Troy, Ala., transition area.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. All comments received were favorable.

Subsequent to publication of the notice, the geographic coordinate (lat. 31°51'40" N., long. 86°00'45" W.) for Troy Municipal Airport was obtained from Coast and Geodetic Survey.

Since this amendment is editorial in nature, notice and procedure hereon are unnecessary and action is taken herein to alter the description accordingly.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., April 3, 1969, as hereinafter set forth.

In § 71.171 (33 F.R. 2058), the following part-time control zone is added:

#### TROY, ALA.

Within a 5-mile radius of Troy Municipal Airport (lat. 31°51'40" N., long. 86°00'45" W.); within 2 miles each side of the ILS localizer west course, extending from the 5-mile radius zone to the OM. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

In § 71.181 (33 F.R. 2137), the following transition area is added:

#### TROY, ALA.

That airspace extending upward from 700 feet above the surface within a 9-mile radius of Troy Municipal Airport (lat. 31°51'40" N., long. 86°00'45" W.); within 8 miles north and 5 miles south of the ILS localizer west course, extending from the 9-mile radius area to 12 miles west of the OM.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348(a); sec. 6(c), Department of Transportation Act; 49 U.S.C. 1655(c))

Issued in East Point, Ga., on January 24, 1969.

GORDON A. WILLIAMS, Jr.,  
Acting Director, Southern Region.

[F.R. Doc. 69-1269; Filed, Jan. 30, 1969;  
8:45 a.m.]

## SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 9347; Amdt. 633]

## PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

## Miscellaneous Amendments

The amendments to the standard instrument approach procedures contained herein are adopted to become effective when indicated in order to promote safety. The amended procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the complete procedure is republished in this amendment indicating the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In view of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 97 (14 CFR Part 97) is amended as follows:

1. By amending § 97.11 of Subpart B to amend low or medium frequency range (L/MF), automatic direction finding (ADF) and very high frequency omnirange (VOR) procedures as follows:

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition		Course and distance	Minimum altitude (feet)	Condition	Ceiling and visibility minimums		
From—	To—				2-engine or less 65 knots or less	More than 2-engine, more than 65 knots	More than 2-engine, more than 65 knots
Clarion VOR	Franklin RBN	Direct	3200	T-dn	300-1	300-1	200-1½
Seneca Int.	Franklin RBN	Direct	3200	C-dn	500-1	500-1	500-1½
Wesley Int.	Franklin RBN	Direct	3200	S-dn-29	500-1	500-1	500-1½
				A-dn	800-2	800-2	800-2

Procedure turn N side of crs, 108° Outbnd, 288° Inbnd, 3200' within 10 miles.

Minimum altitude over facility on final approach crs, 2400'.

Crs and distance, facility to airport 288°—3.9 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.9 miles after passing Franklin RBN, climb straight ahead to 3200' and return to Franklin RBN. Hold E 1-minute right turns, 288° Inbnd.

MSA within 25 miles of facility: 000°—360°—3100'.

City, Franklin; State, Pa.; Airport name, Chess-Lamberton; Elev., 1540'; Fac. Class., MHW; Ident., FEL; Procedure No. NDB (ADF) Runway 29, Amdt. 4; Eff. date, 13 Feb. 69; Sup. Amdt. No. 3; Dated, 18 Mar. 67

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition		Course and distance	Minimum altitude (feet)	Condition	Ceiling and visibility minimums		
From—	To—				2-engine or less 65 knots or less	More than 2-engine, more than 65 knots	More than 2-engine, more than 65 knots
OBH VOR	GRI VOR	Direct	3700	T-dn	300-1	300-1	200-1½
R 231°, GRI VOR CW	R 294°, GRI VOR	Via 10-mile DME Arc	3500	C-dn	700-1	700-1	700-1½
R 074°, GRI VOR CCW	R 294°, GRI VOR	Via 10-mile DME Arc	3500	S-dn-13	700-1	700-1	700-1
				A-dn	800-2	800-2	800-2
10-mile DME Fix GRI VOR, R 294°	3.6-mile DME Fix or Evers Int GRI VOR, R 294° (final).	Direct	2546	Minimums with DME or dual VOR receivers: C-dn S-dn-13	500-1 400-1	500-1 400-1	500-1½ 400-1

Procedure turn W side of crs, 294° Outbnd, 114° Inbnd, 3200' within 10 miles.

Minimum altitude over 3.6-mile DME Fix or Evers Int on final approach crs, 2546'.

Crs and distance, 3.6-mile DME Fix or Evers Int to airport, 114°—3.8 miles. Breakoff point to runway 125°—0.89 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing GRI VOR or 3.6 miles after passing Evers Int, make left turn, climbing to 3500' on GRI VOR R 350° within 10 miles, make left turn and return to GRI VOR.

MSA: 090°—180°—4100'; 180°—270°—3800'; 270°—090°—3300'.

City, Grand Island; State, Nebr.; Airport name, Grand Island Municipal; Elev., 1846'; Fac. Class., L-BVORTAC; Ident., GRI; Procedure No. VOR Runway 13, Amdt. 6; Eff. date, 13 Feb. 69; Sup. Amdt. No. 5; Dated, 25 Mar. 67

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Transition		Course and distance	Minimum altitude (feet)	Condition	Ceiling and visibility minimums		
From—	To—				2-engine or less 65 knots or less	More than 65 knots	More than 2-engine, more than 65 knots
OHB VOR	GRI VOR	Direct	3770	T-dn	300-1	300-1	200-1/2
R 231°, GRI VOR CW	R 350°, GRI VOR	Via 10-mile DME	3500	C-dn	500-1	500-1	500-1 1/2
R 074°, GRI VOR CCW	R 350°, GRI VOR	Arc	3500	S-dn-17@	500-1	500-1	500-1
10-mile DME Fix GRI VOR, R 350°	3-mile DME Fix GRI VOR, R 350° (final)	Via 10-mile DME	3500	A-dn	800-2	800-2	800-2
		Arc		Minimums with DME:			
		Direct	2346	C-dn	500-1	500-1	500-1 1/2
				S-dn-17@	400-1	400-1	400-1

Procedure turn W side of crs, 350° Outbnd, 170° Inbnd, 3100' within 10 miles.

Minimum altitude over 3-mile DME Fix on final approach crs, 2346'.

Crs and distance, facility to airport, 170°—0.4 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing GRI VOR, make left turn, climbing to 3500' on GRI VOR, R 350° within 10 miles, make left turn and return to GRI VOR.

@Reduction not authorized.

MSA: 090°-180°-4100'; 180°-270°-3800'; 270°-090°-3300'.

City, Grand Island; State, Nebr.; Airport name, Grand Island Municipal; Elev., 1846'; Facility, L-BVORTAC; Ident., GRI; Procedure No. VOR Runway 17, Amdt. 10; Eff. date, 13 Feb. 69; Sup. Amdt. No. 9; Dated, 25 Mar. 67

2. By amending § 97.11 of Subpart B to delete low or medium frequency range (L/MF), automatic direction finding (ADF) and very high frequency omnirange (VOR) procedures as follows:

Bethpage, N.Y.—Grumman-Bethpage, ADF 1, Amdt. 2, 4 July 1964 (established under Subpart C).

Caldwell, N.J.—Caldwell-Wright, ADF 1, Orig., 27 Mar. 1965 (established under Subpart C).

Great Barrington, Mass.—Great Barrington, NDB (ADF)-1, Orig., 25 Feb. 1967 (established under Subpart C).

Raleigh, N.C.—Raleigh-Durham, NDB (ADF) Runway 5, Amdt. 11, 30 Dec. 1967 (established under Subpart C).

Raleigh, N.C.—Raleigh-Durham, NDB (ADF) Runway 23, Amdt. 3, 30 Dec. 1967 (established under Subpart C).

Sloux City, Iowa—Sloux City Municipal, NDB (ADF) Runway 13, Amdt. 7, 4 Nov. 1967 (established under Subpart C).

Sloux City, Iowa—Sloux City Municipal, NDB (ADF) Runway 31, Amdt. 13, 13 May 1967 (established under Subpart C).

Bethpage, N.Y.—Grumman-Bethpage, VOR 1, Amdt. 2, 2 May 1964 (established under Subpart C).

Crestview, Fla.—Bob Sikes, VOR 1, Orig., 2 Oct. 1965 (established under Subpart C).

Lima, Ohio—Allen County, VOR Runway 27, Amdt. 3, 11 Mar. 1967 (established under Subpart C).

Raleigh, N.C.—Raleigh-Durham, VOR Runway 5, Amdt. 5, 30 Dec. 1967 (established under Subpart C).

Raleigh, N.C.—Raleigh-Durham, VOR Runway 23, Amdt. 6, 10 Feb. 1968 (established under Subpart C).

Roseburg, Oreg.—Roseburg Municipal, VOR-1, Amdt. 5, 2 Feb. 1967 (established under Subpart C).

Sloux City, Iowa—Sloux City Municipal, VOR Runway 31, Amdt. 13, 13 May 1967 (established under Subpart C).

3. By amending § 97.15 of Subpart B to amend very high frequency omnirange-distance measuring equipment (VOR/DME) procedures as follows:

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR/DME

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition		Course and distance	Minimum altitude (feet)	Condition	Ceiling and visibility minimums		
From—	To—				2-engine or less 65 knots or less	More than 65 knots	More than 2-engine, more than 65 knots
OHB VOR	GRI VOR	Direct	3700	T-dn	300-1	300-1	200-1/2
GRI VOR	7-mile DME Fix, R 170°	Direct	3700	C-dn	500-1	500-1	500-1 1/2
R 074°, GRI VOR CW	R 170°, GRI VOR	Via 13-mile DME	3700	S-dn-35@	500-1	500-1	500-1
R 263°, GRI VOR CCW	R 170°, GRI VOR	Arc	3700	A-dn	800-2	800-2	800-2
13-mile DME Fix GRI VOR, R 170°	7-mile DME Fix GRI VOR, R 170° (final)	Via 13-mile DME	3700	Arc			
		Direct	3400				

Procedure turn E side of crs, 170° Outbnd, 350° Inbnd, 3700' between 7-mile and 13-mile DME Fix, R 170°.

Minimum altitude over 7-mile DME Fix, R 170° final approach crs, 3400'.

Crs and distance, 7-mile DME Fix, R 170° to airport, 350°—5.4 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 1.6-mile DME Fix, R 170°, climb to 3500' on GRI R 350° within 10 miles, make left turn and return to GRI VOR.

@500-1/2 authorized with operative HIRL, 500-1/2 authorized with operative ALS, except for 4-engine turbojets:

MSA: 090°-180°-4100'; 180°-270°-3800'; 270°-090°-3300'.

City, Grand Island; State, Nebr.; Airport name, Grand Island Municipal; Elev., 1846'; Facility, L-BVORTAC; Ident., GRI; Procedure No. VOR/DME Runway 35, Amdt. 3; Eff. date, 13 Feb. 69; Sup. Amdt. No. 2; Dated, 25 Mar. 67

4. By amending § 97.15 of Subpart B to delete very high frequency omnirange-distance measuring equipment (VOR/DME) procedures as follows:

Ocala, Fla.—Ocala Municipal (Jim Taylor Field), VOR/DME No. 1, Amdt. 4, 25 Dec. 1965 (established under Subpart C).

Sloux City, Iowa—Sloux City Municipal, VOR/DME Runway 13, Amdt. 5, 13 May 1967 (established under Subpart C).

5. By amending § 97.17 of Subpart B to delete instrument landing system (ILS) procedures as follows:

Raleigh, N.C.—Raleigh-Durham, ILS Runway 5, Amdt. 11, 30 Dec. 1967 (established under Subpart C).

Raleigh, N.C.—Raleigh-Durham, LOC (BC) Runway 23, Amdt. 12, 10 Feb. 1968 (established under Subpart C).

Sloux City, Iowa—Sloux City Municipal, LOC (BC) Runway 13, Amdt. 7, 4 Nov. 1967 (established under Subpart C).

Sloux City, Iowa—Sloux City Municipal, ILS Runway 31, Amdt. 14, 4 Nov. 1967 (established under Subpart C).

6. By amending § 97.19 of Subpart B to cancel radar procedures as follows:

Kansas City, Mo.—Municipal, Radar-1, Amdt. 7, 17 Feb. 1968.

7. By amending § 97.23 of Subpart C to establish very high frequency omnirange (VOR) and very high frequency-distance measuring equipment (VOR/DME) procedures as follows:



STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 9 miles after passing Deer Park VORTAC or 2.4 miles after passing Sunrise Int/6.6-mile DME Fix.	
Bohemia Int.....	DPK VORTAC (NOPT).....	DPK R 083°/9 NM.....	2000	Climbing right turn to 2000' direct to DPK VORTAC and hold. Supplementary charting information: Hold E, 1 minute, right turns, 245° Inbnd.	

Procedure turn not authorized. One minute holding pattern, NE of Deer Park VORTAC, 245° Inbnd, right turns, 2000'.  
FAF, DPK VORTAC. Final approach crs, 265°. Distance FAF to MAP, 9 miles.  
Minimum altitude over DPK VORTAC, 2000'; over Sunrise Int/6.6-mile DME Fix, 960'.  
MSA: 000°-090°-1700'; 090°-180°-1700'; 180°-270°-1600'; 270°-360°-1500'.  
NOTES: (1) Radar vectoring. (2) Procedure authorized only during hours control tower is in operation.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	960	1	841	960	1½	841	960	1½	841	960	2	841
VOR/NDB Minimums:												
C.....	520	1	401	580	1	461	580	1½	461	680	2	561
A.....	Not authorized.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, Bethpage; State, N.Y., Airport name, Grumman-Bethpage; Elev., 119'; Facility, DPK

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 8.6 miles after passing CEW VORTAC.	
R 248°, CEW VORTAC CW.....	R 286°, CEW VORTAC (NOPT).....	7-mile DME Arc.....	2000	Climbing left turn to 2000' direct to CEW VORTAC and hold. Supplementary charting information: Hold W, 1 minute, right turns, 106° Inbnd.	
R 009°, CEW VORTAC CCW.....	R 286°, CEW VORTAC (NOPT).....	7-mile DME Arc.....	2000		

Procedure turn N side of crs, 286° Outbnd, 106° Inbnd, 2000' within 10 miles of CEW VORTAC.  
FAF, CEW VORTAC. Final approach crs, 106°. Distance FAF to MAP, 8.6 miles.  
Minimum altitude over CEW VORTAC, 2000'; over 7-mile DME Fix, 820'.  
MSA: 000°-180°-1700'; 180°-270°-1600'; 270°-360°-1500'.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	820	1	602	820	1	602	820	1½	602	802	2	602
VOR/DME Minimums:												
C.....	620	1	402	680	1	462	680	1½	462	780	2	562
A.....	Standard.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, Crestview; State, Fla., Airport name, Bob Sikes; Elev., 218' Facility, CEW; Procedure No. VOR-1, Amdt. 1; Eff. date, 13 Feb. 69; Sup. Amdt. No. VOR 1, Orig.; Dated, 2 Oct. 65

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 5.8 miles after passing Pine Lake Int.
Coyle VOR.....	Pine Lake Int (NOPT).....	Direct.....	1700	Climbing right turn to 1700' to R 045° CYN VOR to Pine Lake Int and hold. Supplementary charting information: Hold SW, 1 minute, right turns, Inbnd crs, 045°. 185' water tower, 0.5 mile S of airport. TDZ Elevation, 32'.
Robbinsville VOR.....	Pine Lake Int.....	Direct.....	1900	

Procedure turn S side of crs, 228° Outbnd, 048° Inbnd, 1700' within 5 miles of Pine Lake Int. FAF, Pine Lake Int. Final approach crs, 048°. Distance FAF to MAP, 5.8 miles. Minimum altitude over Pine Lake Int, 1700'. MSA: 000°-180°-1600'; 180°-360°-1600'.

NOTES: (1) Radar vectoring. (2) Use Lakehurst, N.J., NAS altimeter setting.

## DAY AND NIGHT MINIMUMS

Cond.	A			B		C		D	
	MDA	VIS	HAT	VIS		VIS		VIS	
S-6.....	460	1	428	NA		NA		NA	
	MDA	VIS	HAA						
C.....	500	1	468	NA		NA		NA	
A.....	Not authorized.			T 2-eng. or less—Standard.		T over 2-eng.—Not authorized.			

City, Lakewood; State, N.J., Airport name, Lakewood; Elev., 32'; Facility, CYN; Procedure No. VOR Runway 6, Amdt. Orig., Eff. date, 13 Feb. 69

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 2.2 miles after passing AOH VOR.
Findlay VORTAC.....	AOH VOR.....	Direct.....	2700	Turn left, climb to 2600' on R 092° within 10 miles; return to AOH VOR and hold. Supplementary charting information: Hold E AOH VOR, 1 minute, right turns, 272° Inbnd. CAUTION: Transmission lines and towers 1111', 1.1 miles E of airport. TDZ elevation, 975'.
Rosewood VORTAC.....	AOH VOR.....	Direct.....	2800	
Neptune Int.....	AOH VOR.....	Direct.....	3000	
Bremen Int.....	AOH VOR.....	Direct.....	2800	

Procedure turn N side of crs, 092° Outbnd, 272° Inbnd, 2600' within 10 miles of AOH VOR. FAF, AOH VOR. Final approach crs, 272°. Distance FAF to MAP, 2.2 miles. Minimum altitude over AOH VOR, 1600'.

MSA: 000°-090°-2400'; 090°-180°-2900'; 180°-360°-2500'.

NOTES: (1) When Allen County altimeter not available, use Findlay, Ohio, altimeter setting, straight-in and circling MDA increased 100'. (2) Alternate minimums authorized for those operators having approved weather reporting service at the airport.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D	
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS	
B-72.....	1380	1	405	1380	1	405	1380	1	405	NA	
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA		
C#.....	1420	1	445	1440	1	465	1440	1½	465	NA	
A.....	Standard.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.				

City, Lima; State, Ohio; Airport name, Allen County; Elev., 975'; Facility, AOH; Procedure No. VOR Runway 27, Amdt. 4; Eff. date, 13 Feb. 69; Sup. Amdt. No. 3; Dated, 11 Mar. 67

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: OCF VORTAC.	
OCF R 123° CW	OCF R 170° (NOPT)	8-mile Arc	1700	Left turn, climb to 2000' on the OCF R 300° within 10 miles, return to OCF VORTAC and hold. Supplementary charting information: Final approach crs intercepts centerline 2400' from threshold. Hold S, 350° Inbnd, 1 minute, left turns. LRCA, 122.1. TDZ Elevation, 81'.	
OCF R 212° CCW	OCF R 170° (NOPT)	8-mile Arc	1700		
8-mile Arc	OCF VORTAC	R 170°	600		

Procedure turn W side of crs, 170° Outbnd, 350° Inbnd, 1700' within 10 miles of OCF VORTAC.

Final approach crs, 350°

Minimum altitude over 4-mile DME Fix, 600'.

MSA: 000°-270°-1400'; 270°-360°-1500'.

NOTE: Use Gainesville FSS altimeter setting.

#Alternate minimums not authorized except operators within approved weather reporting service.

\*Straight-in MDA reduction of 120' approved when authorized weather service available.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D	
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS	
S-36°-----	600	1	519	600	1	519	600	1	519	NA	
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA		
C-----	600	1	510	600	1	510	600	1½	510	NA	
	VOR/DME Minimums:										
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT		
S-36°-----	560	1	479	560	1	479	560	1	479	NA	
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA		
C-----	580	1	490	580	1	490	580	1½	490	NA	
A-----	Not authorized.#		T 2-eng. or less—Standard.					T over 2-eng.—Standard.			

City, Ocala; State, Fla., Airport name, Ocala Municipal (Jim Taylor Field); Elev., 90'; Facility, OCF; Procedure No. VOR Runway 36, Amdt. 5; Eff. date, 13 Feb. 69; Sup. Amdt. No. VOR/DME No. 1, Amdt. 4; Dated, 25 Dec. 65

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: RDU VORTAC.	
R 234°, RDU VORTAC CCW	R 235°, RDU VORTAC	10-mile DME Arc	2000	Climb to 2000' on R 055° within 15 miles; or, when directed by ATC, left turn climb to 2500' on R 309° within 15 miles. Supplementary charting information: Final approach crs intercepts runway centerline extended 4100' from threshold. TDZ elevation, 420'.	
R 189°, RDU VORTAC CW	R 235°, RDU VORTAC	10-mile DME Arc	2000		
10-mile DME Arc	RDU VORTAC (NOPT)	RDU R 235°	800		

Procedure turn N side of crs, 235° Outbnd, 055° Inbnd, 2000' within 10 miles of RDU VORTAC.

Final approach crs, 055°

Minimum altitude over RDU VORTAC, 800'

MSA: 000°-090°-1800'; 090°-180°-2800'; 180°-360°-2500'.

NOTE: Radar vectoring.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-5-----	800	RVR 24	380	800	RVR 24	380	800	RVR 24	380	800	RVR 50	380
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C-----	840	1	405	900	1	465	900	1½	465	1000	2	565
A-----	Standard.		T 2-eng. or less—RVR 24 Runway 5; Standard all other runways.				T over 2-eng.—RVR 24 Runway 5; Standard all other runways.					

City, Raleigh; State, N.C., Airport name, Raleigh-Durham; Elev., 435'; Facility, RDU; Procedure No. VOR Runway 5, Amdt. 6; Eff. date, 13 Feb. 69; Sup. Amdt. No. 5; Dated, 30 Dec. 67

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: RDU VORTAC.	
R 330° RDU VORTAC CW	R 038° RDU VORTAC	10-mile DME Arc	2000	Climb to 2000' on R 218° within 15 miles; or, when directed by ATC, right turn climb to 2500' on R 309° within 15 miles. Supplementary charting information: Final approach crs intercepts runway centerline extended 2000' from threshold. TDZ elevation, 435'.	
R 120° RDU VORTAC CCW	R 038° RDU VORTAC	10-mile DME Arc	2000		
10-mile DME Arc	2.5-mile DME Fix (NOPT)	R 038° RDU VORTAC	960		

Procedure turn W side of crs, 038° Outbnd, 218° Inbnd, 2000' within 10 miles of RDU VORTAC.

Final approach crs, 218°

Minimum altitude over 2.5-mile DME Fix, 960'.

MSA: 000°-090°-1800'; 090°-180°-2300'; 180°-360°-2500'.

NOTE: Radar vectoring.

\*Inoperative table does not apply to HIRL Runway 23.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-23°	960	1	525	960	1	525	960	1	525	960	1½	525
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	960	1	525	960	1	525	960	1½	525	1000	2	565
VOR/DME Minimums:												
S-23°	840	1	405	840	1	405	840	1	405	840	1	405
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	900	1	465	900	1	465	900	1½	465	1000	2	565
A	Standard.			T 2-eng. or less—RVR 24 Runway 5; Standard all other runways.			T over 2-eng.—RVR 24 Runway 5; Standard all other runways.					

City, Raleigh; State, N.C.; Airport name, Raleigh-Durham; Elev., 435'; Facility, RDU; Procedure No. VOR Runway 23, Amdt. 7; Eff. date, 13 Feb. 69; Sup. Amdt. No. 6; Dated, 10 Feb. 68

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 3 miles after passing RBG VOR.	
				Climb to 3700' Outbnd on R 337° within 15 miles; reverse crs, continue climb to 4500' to VOR. Supplementary charting information: LR CO. Remove 725' antenna. Add antenna pole—1214' (10,000' S of airport). RBG VOR site elevation, 1323'.	

Procedure turn W side of crs, 157° Outbnd, 337° Inbnd, 4500' within 10 miles of RBG VOR.

FAF, RBG VOR. Final approach crs, 337°. Distance FAF to MAP, 3 miles.

Minimum altitude over Winston FM, 3300'; over RBG VOR, 3300' (2500' if FM received).

MSA: 000°-090°-6000'; 090°-180°-6300'; 180°-270°-5100'; 270°-360°-4200'.

#Circling E of airport not authorized. Night visibility minimum 2 miles all categories.

\*Use Eugene altimeter setting when Roseburg altimeter setting not available. Circling MDA increased 300' and alternate minimums not authorized when Roseburg weather not available.

%IFR departure procedures: Climb visually over airport to 1500' then direct to RBG VOR, continue climb on R 157° within 10 miles of VOR so as to cross VOR at or above: Eastbound V121, 4100'; southeastbound V23W, 3500'; westbound V121, 2600'; northbound V23W, 2100'. All turns W side of R 157°

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D.
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	VIS
C#-----	2400	1½	1875	2400	1½	1875	2400	1½	1875	NA
	FM Minimums:									
C#-----	1700	1½	1175	1700	1½	1175	1700	1½	1175	NA
A-----	2000-2.*			T 2-eng. or less—1000-1, Runways 16-34.%			T over 2-eng.—1000-1, Runways 16-34.%			

City, Roseburg; State, Oreg.; Airport name, Roseburg Municipal; Elev., 525'; Facility, RBG; Procedure No. VOR Runway 34, Amdt. 6; Eff. date, 13 Feb. 69; Sup. Amdt. No. VOR-1; Amdt. 5; Dated, 2 Feb. 67

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 3.6 miles after passing SUX VOR-TAC.	
R 070° SUX VORTAC CW	R 132° SUX VORTAC	10-mile Arc	3000	Climb to 2600' on R 331° within 10 miles of VORTAC, return to SUX VORTAC. Supplementary charting information: 2420' tower, 6.5 miles NE, and 3369' tower, 12 miles NE. Prominent 1310' hill, 1.4 miles ENE. TDZ elevation, 1093'	
R 238° SUX VORTAC CCW	R 132° SUX VORTAC	10-mile Arc	3000		
10-mile DME Arc	SUX VORTAC (NOPT)	SUX, R 132°	2100		

Procedure turn N side of crs, 132° Outbnd, 312° Inbnd, 2400' within 10 miles of SUX VORTAC.

FAF, SUX VORTAC. Final approach crs, 312°. Distance FAF to MAP, 3.6 miles.

Minimum altitude over SUX VORTAC, 2100'.

MSA: 090°-180°-3100'; 180°-270°-2700'; 270°-090°-4400'.

NOTE: Restrictions due to 2420' tower, 6.5 miles NE, 3369' tower, 12 miles NE, and 1310' terrain, 1.4 miles ENE.

%IFR departure procedures: For north- and northeast-bound departures when weather is below 2400-2, flight below 2900' beyond 4 miles from airport and flight below 3900' beyond 12 miles from airport is prohibited between R 332° and R 025° inclusive of SUX VORTAC.

#Air carrier reduction not authorized.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-31	1500	RVR 24	407	1500	RVR 24	407	1500	RVR 24	407	1500	RVR 50	407
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1620	1	523	1620	1	523	1660	1½	563	1660	2	563
A	Standard.			T 2-eng. or less—300-1, Runways 4; RVR 24 Runway 31; #Standard all other runways. %			T over 2-eng.—300-1, Runways 4; RVR 24 Runway 31; #Standard all other runways. %					

City, Sioux City; State, Iowa; Airport name, Sioux City Municipal; Elev., 1097'; Facility, SUX, Procedure No. VOR Runway 31, Amdt. 14; Eff. date, 13 Feb. 69; Sup. Amdt. No. 13; Dated, 13 May 67

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR/DME

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 5.1-mile DME Fix.	
SUX VORTAC	8.5-mile DME Fix, R 311°	Direct	2800	Climb to 2300' on R 131° within 10 miles of VORTAC and return to SUX VORTAC. Supplementary charting information: 2420' tower, 6.5 miles NE, and 3369' tower, 12 miles NE. Prominent 1310' hill, 1.4 miles ENE. TDZ elevation, 1093'.	
R 266° SUX VORTAC CW	R 311° SUX VORTAC	18-mile Arc	3100		
R 037° SUX VORTAC CCW	R 346° SUX VORTAC	18-mile Arc	4400		
R 346° SUX VORTAC CCW	R 311° SUX VORTAC	18-mile Arc	3100		
18-mile DME Fix, R 311°	8.5-mile DME Fix, R 311° (NOPT)	Direct	2100		

Procedure turn S side of crs, 311° Outbnd, 131° Inbnd, 2600' within 10 miles of 8.5-mile DME Fix.

Final approach crs, 131°

Minimum altitude over 8.5-mile DME Fix, R 131°, 2100'

MSA: 090°-180°-3100'; 180°-270°-2700'; 270°-090°-4400'.

NOTE: Restrictions due to 2420' tower, 6.5 miles NE, 3369' tower, 12 miles NE, and 1310' terrain, 1.4 miles ENE.

%IFR departure procedures: For north- and northeast-bound departures when weather is below 2400-2, flight below 2900' beyond 4 miles from airport and flight below 3900' beyond 8 miles from airport is prohibited between R 332° and R 025° inclusive of SUX VORTAC.

#Air carrier reduction not authorized.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-13	1600	¾	507	1600	¾	507	1600	¾	507	1600	1	507
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1620	1	523	1620	1	523	1660	1½	563	1660	2	563
A	Standard.			T 2-eng. or less—300-1, Runway 4; RVR 24, Runway 31; # Standard all other runways. %			T over 2-eng.—300-1, Runway 4; RVR 24, Runway 31; # Standard all other runways. %					

City, Sioux City; State, Iowa; Airport name, Sioux City Municipal; Elev., 1097'; Facility, SUX, Procedure No. VOR/DME Runway 13, Amdt. 6; Eff. date, 13 Feb. 69; Sup. Amdt. No. 5; Dated, 13 May 67

## RULES AND REGULATIONS

8. By amending § 97.23 of Subpart C to amend very high frequency omnirange (VOR) and very high frequency-distance measuring equipment (VOR/DME) procedures as follows:

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 6.3 miles after passing FLP VOR.
				Climbing left turn to 3000' direct to FLP VOR and hold. Supplementary charting information: Hold E of FLP VOR on R 080°-R 260° Inbnd, right turns, 1 minute.
Procedure turn N side of crs, 080° Outbnd, 260° Inbnd, 3000' within 10 miles of FLP VOR. FAF, FLP VOR. Final approach crs, 260°. Distance FAF to MAP, 6.3 miles. Minimum altitude over FLP VOR, 2300'. MSA: 090°-180°-2900'; 180°-270°-3400'; 270°-090°-2500'. NOTE: Use Harrison FSS altimeter setting.				

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	VIS
C-----	1460	1	739	1560	1	839	1560	1½	839	NA
A-----	Not authorized.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.			

City, Flippin; State, Ark.; Airport name, Flippin; Elev., 721'; Facility, FLP; Procedure No. VOR-1, Amdt. 5; Eff. date, 13 Feb. 69; Sup. Amdt. No. 4; Dated, 19 Dec. 68

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 8 miles from GNI VOR.
				Climb to 1500' left turn direct to GNI VOR.
Procedure turn S side of crs, 226° Outbnd, 046° Inbnd, 1500' within 10 miles of GNI VORTAC. FAF, GNI VORTAC. Final approach crs, 046°. Distance FAF to MAP, 8 miles. Minimum altitude over GNI VOR, 1500'. MSA: 000°-360°-1600'. NOTES: (1) Use New Orleans NAS altimeter setting when GNI altimeter setting not available. (2) Night minimums not authorized. *MDA increased 160' when GNI altimeter setting not available.				

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	VIS
C*-----	640	1½	640	640	1½	640	640	1½	640	NA
A-----	Not authorized.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.			

City, Grand Isle; State, La.; Airport name, Grand Isle Seaplane; Elev., 0'. Facility, GNI; Procedure No. VOR-1, Amdt. 3; Eff. date, 13 Feb. 69; Sup. Amdt. No. 2; Dated, 14 Nov. 68

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR/DME

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 12-mile DME—GNI VORTAC R 044°.
GNI VORTAC.....	17-mile DME Fix, R 044°.....	R 044°.....	1500	Climb to 1500' direct GNI VORTAC. Supplementary charting information: R 404° selected at request of principal base operator.
27-mile DME Fix, R 044°.....	17-mile DME Fix, R 044° (NOPT).....	R 224°.....	1500	

Procedure turn W side of crs, 044° Outbnd, 224° Inbnd, 1500' within 10 miles of 17-mile DME Fix, R 044°

Final approach crs, 224°.

Minimum altitude over 17-mile DME, 1500'.

MSA: 000°-360°—1600'.

NOTES: (1) Use New Orleans NAS altimeter setting when GNI altimeter setting not available. (2) Night minimums not authorized.

\*MDA increased 140' when GNI altimeter setting not available.

## DAY AND NIGHT MINIMUMS

Cond:	A			B			C			D
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	VIS
C°.....	640	1	640	640	1	640	640	1½	640	NA
A.....	Not authorized.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.			

City, Grand Isle; State, La., Airport name, Grand Isle Seaplane; Elev., 0'; Facility, GNI; Procedure No. VOR/DME-1, Amdt. 2; Eff. date, 13 Feb. 69; Sup. Amdt. No. 1; Dated, 14 Nov. 68

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: MLU R 272°, 26-mile DME Fix.
MLU VORTAC.....	Tremont Int (NOPT).....	Direct.....	2000	Climbing right turn to 2000' heading 092° Hold E of Tremont DME Int. Supplementary charting information: Hold E of Tremont DME Int on MLU VORTAC R 272°, right turns 4-mile pattern. Depict 697' tower, 0.9 mile NW of airport.
R 262°, MLU VORTAC CW.....	R 272°, MLU VORTAC (NOPT).....	16-mile Arc MLU, R 26 lead radial.	2000	
R 320°, MLU VORTAC CCW.....	R 272°, MLU VORTAC (NOPT).....	16-mile Arc MLU, R 27° lead radial.	2000	

Procedure turn N side of crs, 092° Outbnd, 272° Inbnd, 2000' within 5 miles of 21-mile DME (Tremont Int):

Final approach crs, 272°

Minimum altitude over Tremont Int (21-mile DME), 2000'

MSA: 140°-230°—3100'; 230°-140°—1900'

NOTE: Use Monroe, La., FSS altimeter setting.

CAUTION: Maneuvering not authorized W of airport defined by extension of runway centerline.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C	D
	MDA	VIS	HAA	MDA	VIS	HAA	VIS	VIS
C.....	840	1	513	840	1	513	NA	NA
A.....	Not authorized.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.	

City, Ruston; State, La., Airport name, Ruston Municipal; Elev., 327'; Facility, MLU; Procedure No. VOR/DME-1, Amdt. 1; Eff. date, 13 Feb. 69; Sup. Amdt. No. Orig., Dated 23 May 68

9. By amending § 97.25 of Subpart C to establish Localizer (LOC) and localizer-type directional aid (LDA) procedures as follows:

# STANDARD INSTRUMENT APPROACH PROCEDURE—Type LOC

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 4 miles after passing LEI NDB.	
RD LOM	LEI NDB	Direct	2000	Climb to 2000' on SW crs of localizer (229°) within 15 miles; or, when directed by ATC, right turn climb to 2500' on R 309° of RDU VORTAC within 15 miles. Supplementary charting information: TDZ elevation, 435'.	
RDU VORTAC	LEI NDB	Direct	2000		
Wendell Int	LEI NDB	Direct	2000		
Chapel Hill Int	LEI NDB	Direct	2000		
Durham Int	LEI NDB	Direct	2000		
Franklin Int	LEI NDB	Direct	2000		
Zebulon Int	LEI NDB	Direct	2000		

Procedure turn N side of crs, 049° Outbnd, 229° Inbnd, 2000' within 10 miles of LEI NDB.

FAF, LEI NDB. Final approach crs, 229°. Distance FAF to MAP, 4 miles.

Minimum altitude over LEI NDB, 1500'

MSA: 000°-090°-1800'; 090°-180°-2800'; 180°-360°-2500'.

NOTE: Radar vectoring.

\*Inoperative table does not apply to HRL Runway 23.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-23	840	1	405	840	1	405	840	1	405	840	1	405
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	840	1	405	900	1	465	900	1½	465	1000	2	565
A	Standard.			T 2-eng. or less—RVR 24, Runway 5; Standard all other runways.			T over 2-eng.—RVR 24, Runway 5; Standard all other runways.					

City, Raleigh; State, N.C.; Airport name, Raleigh-Durham; Elev., 435'; Facility, I-RDU; Procedure No. LOC (BC) Runway 23, Amdt. 13; Eff. date, 13 Feb. 69; Sup. Amdt. No. 12; Dated, 10 Feb. 63

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 4.1 miles after passing JKN NDB.	
SUX VOR	JKN NDB	Direct	2600	Climb to 2800' on SE crs of ILS within 10 miles, return to JKN NDB. Supplementary charting information: 2420' tower, 6.5 miles NE, and 3369' tower, 12 miles NE. Prominent 1310' hill, 1.4 miles ENE. TDZ elevation, 1093'.	
Jefferson Int	JKN NDB	Direct	2600		
Hubbard Int	JKN NDB	Direct	2800		
R 266°, SUX VORTAC CW	SUX LOC	19-mile Arc, R 300° lead radial.	3100		
R 037°, SUX VORTAC CCW	R 346°, SUX VORTAC	19-mile Arc.	4400		
R 346°, SUX VORTAC CCW	SUX LOC	19-mile Arc, R 314° lead radial.	3100		
19-mile DME Arc	JKN NDB (NOPT)	LOC crs	2300		

Procedure turn S side of crs, 307° Outbnd, 127° Inbnd, 2600' within 10 miles of JKN NDB.

FAF, JKN NDB. Final approach crs, 127°. Distance FAF to MAP, 4.1 miles.

Minimum altitude over JKN NDB, 2300'

MSA: 090°-180°-2900'; 180°-270°-2700'; 270°-090°-4400'.

NOTE: Restrictions due to 2420' tower, 6.5 miles NE, 3369' tower, 12 miles NE, and 1310' terrain, 1.4 miles ENE.

%IRF departure procedures: For north- and northeast-bound departures when weather is below 2400-2, flight below 2900' beyond 4 miles from airport and flight below 3900' beyond 8 miles from airport is prohibited between R 332° and R 025° inclusive of SUX VORTAC.

#Air carrier reduction not authorized.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-13	1440	¾	347	1440	¾	347	1440	¾	347	1440	1	347
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1620	1	523	1620	1	523	1660	1½	562	1660	2	563
A	Standard.			T 2-eng. or less—300-1, Runway 4; RVR 24, Runway 31;# Standard all other runways.%			T over 2-eng.—300-1, Runway 4; RVR 24, Runway 31;# Standard all other runways.%					

City, Sioux City; State, Iowa; Airport name, Sioux City Municipal; Elev., 1097'; Facility, I-SUX; Procedure No. LOC (BC) Runway 13, Amdt. 8; Eff. date, 13 Feb. 69; Sup. Amdt. No. 7; Dated, 4 Nov. 67



10. By amending § 97.27 of Subpart C to establish nondirectional beacon (automatic direction finder) (NDB/ADF) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and R.A. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 6.1 miles after passing BBN NDB.	
DPK VORTAC.....	BBN NDB.....	Direct.....	1600	Climbing left turn to 1600' direct to BBN NDB and hold; or, when directed by ATC, climbing right turn direct to Deer Park. Hold E, 1 minute, right turns, 257° Inbnd, 1800'. Supplementary charting information: Hold SE, 1 minute, right turns, 323° Inbnd. TDZ elevation, 112'.	

Procedure turn E side of crs, 143° Outbnd, 323° Inbnd, 1600' within 10 miles of BBN NDB.  
FAF, BBN NDB. Final approach crs, 323°. Distance FAF to MAP, 6.1 miles.  
Minimum altitude over BBN NDB, 1600'.

MSA: 000°-090°-1700'; 090°-180°-1400'; 180°-270°-1400'; 270°-360°-2600'.

NOTES: (1) Radar vectoring. (2) Procedure authorized only during hours control tower is in operation.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-33.....	600	1	488	600	1	488	600	1	488	600	1	488
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	600	1	481	600	1	488	600	1½	481	680	2	561
A.....	Not authorized.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, Bethpage; State, N.Y., Airport name, Grumman-Bethpage; Elev., 119'; Facility, BBN; Procedure No. NDB (ADF) Runway 33, Amdt. 3; Eff. date, 13 Feb. 69; Sup. Amdt. No. ADF 1, Amdt. 2; Dated, 4 July 64

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 6.9 miles after passing PNJ NDB.	
				Climb to 2000' direct to Chatham NDB and hold. Supplementary charting information: Hold NE, 1 minute, right turns, 241° Inbnd. 672' tower, 2.2 miles W of PNJ NDB. TDZ Elevation, 175'.	

Procedure turn N side of crs, 065° Outbnd, 245° Inbnd, 2000' within 10 miles of PNJ NDB.  
FAF, PNJ NDB. Final approach crs, 245°. Distance FAF to MAP, 6.9 miles.  
Minimum altitude over PNJ NDB, 2000'.

MSA: 000°-090°-2700'; 090°-270°-2600'; 270°-360°-2900'.

NOTES: (1) Radar available. (2) Use Newark altimeter setting.

#Straight-in night minimums not authorized.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C	D
	MDA	VIS	HAT	MDA	VIS	HAT	VIS	VIS
S-27#.....	1060	1½	885	1060	1½	885	NA	NA
	MDA	VIS	HAA	MDA	VIS	HAA		
C.....	1060	1½	885	1060	1½	885	NA	NA
A.....	Not authorized.			T 2-eng. or less—Standard, Runways 4-22-27; Runway 9, 600-L.			T over 2-eng.—Standard, Runways 4-22-27; Runway 9, 600-L.	

City, Caldwell; State, N.J., Airport name, Caldwell-Wright; Elev., 175'; Facility, PNJ; Procedure No. NDB (ADF) Runway 27, Amdt. 1; Eff. date, 13 Feb. 69; Sup. Amdt. No. ADF 1, Orig.; Dated, 27 Mar. 65

## RULES AND REGULATIONS

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP· GRB NDB:
Stockbridge Int.-----	GBR NDB-----	Direct-----	4000	Make right-climbing turn to 3600', return to GBR NDB and hold. Supplementary charting information: Hold S of GBR NDB, 345° Inbnd, 1 minute, left turns. High terrain all quadrants.
Hillsdale Int.-----	GBR NDB-----	Direct-----	4000	
Monterey Int.-----	GBR NDB-----	Direct-----	3600	

Procedure turn W side of crs, 165° Outbnd, 345° Inbnd, 3600' within 10 miles of GBR NDB.

Final approach crs, 345°

Minimum altitude over Sheffield FM, 2200'.

MSA: 000°-090°-4700'; 090°-180°-3700'; 180°-270°-3700'; 270°-360°-4400'.

NOTES: (1) Use Bradley Field altimeter setting. (2) Facility must be monitored aurally during approach. (3) Approach from a holding pattern not authorized; procedure turn required.

%Night operations Runways 11/29 only.

## DAY AND NIGHT MINIMUMS

Cond:	A			B			C	D
	MDA	VIS	HAA	MDA	VIS	HAA	VIS	VIS
C%-----	2200	2	1474	2200	2¼	1474	NA	NA
NDB/FM Minimums:								
	MDA	VIS	HAA	MDA	VIS	HAA		
C%-----	1920	1½	1194	1920	1¾	1194	NA	NA
A-----	Not authorized:			T 2-eng. or less—500-2.%			T over 2-eng.—500-2.%	

City, Great Barrington; State, Mass.; Airport name, Great Barrington; Elev., 728'; Facility, GBR; Procedure No. NDB (ADF)-1, Amdt. 1; Eff. date, 13 Feb. 69; Sup. Amdt. No. Orig.; Dated, 25 Feb. 67

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 5.8 miles after passing RD LOM:
LEI NDB-----	RD LOM-----	Direct-----	2000	Climb to 2000' on crs 049° from RD LOM within 15 miles; or, when directed by ATC, left turn climb to 2500' on R 309° RD U VORTAC within 15 miles. Supplementary charting information: TDZ elevation, 420'.
RD U VORTAC-----	RD LOM-----	Direct-----	2000	
Chapel Hill Int.-----	RD LOM-----	Direct-----	2000	
Holly Springs Int.-----	RD LOM-----	Direct-----	2000	
Moncure Int.-----	RD LOM (NOPT)-----	Direct-----	2000	
Durham Int.-----	RD LOM-----	Direct-----	2000	
Goldston Int.-----	RD LOM (NOPT)-----	Direct-----	2000	

Procedure turn N side of crs, 229° Outbnd, 049° Inbnd, 2000' within 10 miles of RD LOM;

FAF, RD LOM. Final approach crs, 049°. Distance FAF to MAP, 5.8 miles.

Minimum altitude over RD LOM, 2000'.

MSA: 000°-090°-2000'; 090°-180°-2900'; 180°-270°-1800'; 270°-360°-2500'.

NOTE: Radar vectoring.

## DAY AND NIGHT MINIMUMS

Cond:	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-5-----	800	RVR 40	380	800	RVR 40	380	800	RVR 40	380	800	RVR 50	380
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C-----	840	1	405	900	1	465	900	1½	465	1000	2	565
A-----	Standard:			T 2-eng. or less—RVR 24, Runways 5; Standard all other runways.			T over 2-eng.—RVR 24, Runways 5; Standard all other runways.					

City, Raleigh; State, N.C.; Airport name, Raleigh-Durham; Elev., 435'. Facility, RD; Procedure No. NDB (ADF) Runway 5, Amdt. 12; Eff. date, 13 Feb. 69; Sup. Amdt. No. 11; Dated, 30 Dec. 67

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 4 miles after passing LEI NDB.
RDU LOM.....	LEI NDB.....	Direct.....	2000	Climb to 2000' on 229° crs from LEI NDB within 15 miles; or, when directed by ATC, right turn climb to 2500' on R 309° of RDU VORTAC within 15 miles. Supplementary charting information: TDZ elevation, 435'
RDU VORTAC.....	LEI NDB.....	Direct.....	2000	
Wendell Int.....	LEI NDB.....	Direct.....	2000	
Chapel Hill Int.....	LEI NDB.....	Direct.....	2000	
Durham Int.....	LEI NDB.....	Direct.....	2000	
Franklinton Int.....	LEI NDB.....	Direct.....	2000	
Zebulon Int.....	LEI NDB.....	Direct.....	2000	

Procedure turn N side of crs, 049° Outbnd, 229° Inbnd, 2000' within 10 miles of LEI NDB.  
 FAF, LEI NDB. Final approach crs, 229°. Distance FAF to MAP, 4 miles.  
 Minimum altitude over LEI NDB, 1500'.  
 MSA: 000°-090°-1800'; 090°-180°-2500'; 180°-360°-2500'.  
 NOTE: Radar vectoring.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-23.....	960	1	525	960	1	525	960	1	525	960	1¼	525
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	960	1	525	960	1	525	960	1½	525	1000	2	565
A.....	Standard.			T 2-eng. or less—RVR 24, Runway 5; Standard all other runways.			T over 2-eng.—RVR 24, Runway 5; Standard all other runways.					

City, Raleigh; State, N.C.; Airport name, Raleigh-Durham; Elev., 435'; Facility, LEI; Procedure No. NDB (ADF) Runway 23, Amdt. 4; Eff. date, 13 Feb. 69; Sup. Amdt. No. 3; Dated, 30 Dec. 67

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 4.1 miles after passing JKN NDB.
SUX VORTAC.....	JKN NDB.....	Direct.....	2600	Climb to 2800' on 127° bearing from NDB within 10 miles, return to JKN NDB. Supplementary charting information: 2420' tower, 6.5 miles NE, and 3369' tower, 12 miles NE. Prominent 1310' hill, 1.4 miles ENE. TDZ elevation, 1093'.
Jefferson Int.....	JKN NDB.....	Direct.....	2600	
Hubbard Int.....	JKN NDB.....	Direct.....	2600	

Procedure turn side of crs, 307° Outbnd, 127° Inbnd, 2600' within 10 miles of JKN NDB.  
 FAF, JKN NDB. Final approach crs, 127°. Distance FAF to MAP, 4.1 miles.  
 Minimum altitude over JKN NDB, 2300'.  
 MSA: 090°-180°-2900'; 180°-270°-2700'; 270°-090°-4400'.

NOTE: Restrictions due to 2420' tower, 6.5 miles NE, 3369' tower 12 miles NE, and 1310' terrain, 1.4 miles ENE.  
 %IFR departure procedures: For north- and northeast-bound departures when weather is below 2400-2, flight below 2900' beyond 4 miles from airport and flight below 3900' beyond 8 miles from airport is prohibited between R 332° and R 025° inclusive of SUX VORTAC.  
 #Air carrier reduction not authorized.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-13.....	1660	1	567	1660	1	567	1660	1	567	1660	1¼	567
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	1660	1	563	1660	1	563	1660	1¼	563	1660	2	563
A.....	Standard.			T 2-eng. or less—300-1, Runway 4; RVR 24, Runway 31; # Standard all other runways.%			T over 2-eng.—300-1, Runway 4; RVR 24, Runway 31; # Standard all other runways.%					

City, Sioux City; State, Iowa; Airport name, Sioux City Municipal; Elev., 1097'; Facility, JKN; Procedure No. NDB (ADF) Runway 13, Amdt. 8; Eff. date, 13 Feb. 69; Sup. Amdt. No. 7; Dated, 4 Nov. 67

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 5.3 miles after passing LOM.
SUX VORTAC.....	SU LOM.....	Direct.....	2600	Climb to 2600' on 307° bearing from LOM within 10 miles, return to LOM; or, when directed by ATIS, turn left and climb to 3700' on R 266° of SUX VORTAC within 10 miles. Supplementary charting information: 2420' tower, 6.5 miles NE, and 3369' tower, 12 miles NE. Prominent 1310' hill, 1.4 miles ENE. TDZ elevation, 1093'.

Procedure turn N side of crs, 127° Outbnd, 307° Inbnd, 2600' within 10 miles of SU LOM.  
FAF, SU LOM. Final approach crs, 307°. Distance FAF to MAP, 5.3 miles.  
Minimum altitude over SU LOM, 2600'.  
MSA: 090°-180°-3100'; 180°-270°-2700'; 270°-090°-4400'.  
NOTE: Restrictions due to 2420' tower, 6.5 miles NE, 3369' tower, 12 miles NE, and 1310' terrain, 1.4 miles ENE.  
%IFR departure procedures: For north- and northeast-bound departures when weather is below 2400-2, flight below 2900' beyond 4 miles from airport and flight below 3900' beyond 8 miles from airport is prohibited between R 332° and R 025° inclusive of SUX VORTAC.  
#Air carrier reduction not authorized.

## DAY AND NIGHT MINIMUMS

Cond.	A.			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-31.....	1600	RVR 40	507	1600	RVR 40	507	1600	RVR 40	507	1600	RVR 50	507
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	1620	1	523	1620	1	523	1660	1½	563	1660	2	563
A.....	Standard.			T 2-eng. or less—300-1, Runway 4; RVR 24, Runway 31;# Standard all other runways.%			T over 2-eng.—300-1, Runway 4; RVR 24, Runway 31;# Standard all other runways.%					

City, Sioux City; State, Iowa; Airport name, Sioux City Municipal; Elev., 1097'. Facility, SU; Procedure No. NDB (ADF) Runway 31, Amdt. 14; Eff. date, 13 Feb. 69; Sup. Amdt. No. 13; Dated, 13 May 67

11. By amending § 97.27 of Subpart C to amend nondirectional beacon (automatic direction finder) (NDB/ADF) procedures as follows:

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.

\* If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 6 miles from GNI NDB:
				Climb to 1500', left turn direct to GNI NDB.

Procedure turn S side of crs, 226° Outbnd, 046° Inbnd, 1500' within 10 miles of GNI NDB:  
FAF, GNI NDB. Final approach crs, 046°. Distance FAF to MAP, 6 miles.  
Minimum altitude over GNI NDB, 1500'.  
MSA: 000°-360°-1600'.  
NOTES: (1) Use New Orleans NAS altimeter setting when GNI altimeter setting not available. (2) Night minimums not authorized.  
\*MDA increased 160' when GNI altimeter setting not available.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	VIS		
C*.....	640	1½	640	640	1½	640	640	1½	640	NA		
A.....	Not authorized.			T 2-eng. or less—Standard:			T over 2-eng.—Standard:					

City, Grand Isle; State, La., Airport name, Grand Isle Seaplane; Elev., 0'. Facility, GNI; Procedure No. NDB (ADF)-1, Amdt. 4; Eff. date, 13 Feb. 69; Sup. Amdt. No. 3; Dated, 14 Nov. 68

## 12. By amending § 97.29 of Subpart C to establish instrument landing system (ILS) procedures as follows:

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE ILS

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: ILS DH, 620'; LOC 5.8 miles after passing RD LOM.	
LEI NDB	RD LOM	Direct	2000	Climb to 2000' on NE crs 049° of localizer within 15 miles; or, when directed by ATC, left turn climb to 2500' on R 309° RDU VORTAC within 15 miles. Supplementary charting information: TDZ elevation, 420'.	
RDU VORTAC	RD LOM	Direct	2000		
Chapel Hill Int.	RD LOM	Direct	2000		
Holly Springs Int.	RD LOM	Direct	2000		
Moncure Int.	RD LOM (NOPT)	Direct	2000		
Durham Int.	RD LOM	Direct	2000		
Goldston Int.	RD LOM (NOPT)	Direct	2000		

Procedure turn N side of crs, 229° Outbnd, 049° Inbnd, 2000' within 10 miles of RD LOM.

FAF, RD LOM. Final approach crs, 049°. Distance FAF to MAP, 5.8 miles.

Minimum glide slope interception altitude, 2000'. Glide slope altitude at OM, 2040'; at MM, 631'.

Distance to runway threshold at OM, 5.8 miles; at MM, 0.6 mile.

MSA: 000°-090°-2000'; 090°-180°-2900'; 180°-270°-1800'; 270°-360°-2500'.

Notes: (1) Radar vectoring. (2) Glide slope unusable below 620' MSL.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT
S-5	620	RVR 24	200	620	RVR 24	200	620	RVR 24	200	620	RVR 24	200
LOC:	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-5	720	RVR 24	300	720	RVR 24	300	720	RVR 24	300	720	RVR 40	300
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	840	1	405	900	1	465	900	1½	465	1000	2	565
A	Standard.			T 2-eng. or less—RVR 24, Runway 5; standard all other runways.			T over 2-eng.—RVR 24 Runway 5; Standard all other runways.					

City, Raleigh; State, N.C.; Airport name, Raleigh-Durham; Elev., 435'; Facility, I-RDU; Procedure No. ILS Runway 5, Amdt. 12; Eff. date, 13 Feb. 69; Sup. Amdt. No. 11; Dated, 30 Dec. 67

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: ILS DH, 1293'; LOC 5.3 miles after passing SU LOM.	
SUX VORTAC	SU LOM	Direct	2600	Climb to 2600' on NW crs ILS within 10 miles, return to LOM; or, when directed by ATC, turn left, climb to 3700' on R 266° SUX VORTAC within 10 miles; return to SUX VORTAC. Supplementary charting information: TDZ elevation, 1093'.	
R 037°, SUX VORTAC CW	SUX LOC	10-mile Arc 115° lead radial	3000		
R 238°, SUX VORTAC CCW	SUX LOC	10-mile Arc 139° lead radial	3000		
10-mile DME Arc	SU LOM (NOPT)	LOC Crs.	2600		

Procedure turn N side of crs, 127° Outbnd, 307° Inbnd, 2600' within 10 miles of SU LOM.

FAF, SU LOM. Final approach crs, 307°. Distance FAF to MAP, 5.3 miles.

Minimum glide slope interception altitude, 2600'. Glide slope altitude at OM, 2575'; at MM, 1297'

Distance to runway threshold at OM, 5.3 miles; at MM, 0.5 mile.

MSA: 090°-180°-3100'; 180°-270°-2700'; 270°-090°-4400'.

Note: Restrictions due to 2420' tower, 6.5 miles NE, 3369' tower, 12 miles NE, and 1310' terrain, 1.4 miles ENE.

%IFR departure procedures: For north- and northeast-bound departures when weather is below 2400-2, flight below 2900' beyond 4 miles from airport and flight below 3900' beyond 8 miles from airport is prohibited between R 332° and R 025° inclusive of SUX VORTAC.

#Air carrier reduction not authorized.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT
S-31	1293	RVR 24	200	1293	RVR 24	200	1293	RVR 24	200	1293	RVR 24	200
LOC:	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-31	1460	RVR 24	367	1460	RVR 24	367	1460	RVR 24	367	1460	RVR 40	367
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1620	1	523	1620	1	523	1660	1½	563	1660	2	563
A	Standard.			T 2-eng. or less—300-1, Runway 4; RVR 24, Runway 31;# Standard all other runways.%			T over 2-eng.—300-1, Runway 4; RVR 24, Runway 31;# Standard all other runways.%					

City, Sioux City; State, Iowa; Airport name, Sioux City Municipal; Elev., 1097'; Facility, I-SUX; Procedure No. ILS Runway 31, Amdt. 15; Eff. date, 13 Feb. 69; Sup. Amdt. No. 14; Dated, 4 Nov. 67

These procedures shall become effective on the dates specified therein.

(Secs. 307(c), 313(a), 601, Federal Aviation Act of 1958; 49 U.S.C. 1348 (c), 1354(a), 1421; 72 Stat. 749, 752, 775)

Issued in Washington, D.C., on January 7, 1969.

EDWARD C. HODSON,  
Acting Director, Flight Standards Service.

[F.R. Doc. 69-475; Filed, Jan. 30, 1969; 8:45 a.m.]

## Title 16—COMMERCIAL PRACTICES

### Chapter I—Federal Trade Commission

[Docket No. 8655 o.]

#### PART 13—PROHIBITED TRADE PRACTICES

##### United States Steel Corp.

Subpart—Acquiring corporate stock or assets: § 13.5 *Acquiring corporate stock or assets.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 7, 38 Stat. 731, as amended; 15 U.S.C. 18) [Cease and desist order, United States Steel Corp., Hicksville, N.Y., Docket 8655, Dec. 2, 1968]

Order requiring the Nation's largest steel company to divest itself, within 1 year, of a Hicksville, N.Y., producer of ready mix concrete, acquired in April 1964, and not to acquire such a firm for the next 10 years without prior approval of the Commission.

The order of divestiture, including further order requiring report of compliance therewith, is as follows:

I. *It is ordered*, That respondent, United States Steel Corp., divest all stock and/or assets acquired by United States Steel Corp. as the result of its acquisition of Certified Industries, Inc., together with all additions thereto and replacements thereof, to a purchaser approved by the Federal Trade Commission who shall operate said assets as a going concern in the ready-mixed concrete industry. It is further ordered that United States Steel Corp. begin to make good faith efforts to divest said stock and/or assets promptly after the effective date of this order, and that it continue such efforts to the end that the divestiture thereof be accomplished within one (1) year.

II. *It is further ordered*, That, pending divestiture, United States Steel Corp. not make any changes in any of the aforesaid stock and/or assets which would impair their present capacity for the production and sale of ready-mixed concrete, or other products produced, or their market value.

III. *It is further ordered*, That, in the aforesaid divestiture, none of the stock and/or assets be sold or transferred, directly or indirectly, to any person who is at the time of divestiture an officer, director, employee, or agent of, or under the control or direction of, United States Steel Corp. or any of its subsidiaries or affiliates, or to any person who owns or controls, directly or indirectly, more than one (1) percent of the outstanding shares of common stock of United States Steel Corp. or any of its subsidiaries or affiliates.

IV. *It is further ordered*, That United States Steel Corp., for a period of ten (10) years from the date this order becomes final, cease and desist from acquiring, directly or indirectly, by any device or through subsidiaries or otherwise, the whole or any part of the stock, share capital, or assets (other than products sold in the course of business),

of any firm engaged in the production and/or sale of ready-mixed concrete without the prior approval of the Federal Trade Commission.

V. *It is further ordered*, That United States Steel Corp., within sixty (60) days from the effective date of this order, and every sixty (60) days thereafter until it has fully complied with the provisions of this order, submit in writing to the Federal Trade Commission a report setting forth in detail the manner and form in which it intends to comply, is complying, and/or has complied with this order. All compliance reports shall include, among other things that will be from time to time required, a summary of all contacts and negotiations with potential purchasers of the stock and/or assets to be divested under this order, the identity of all such potential purchasers, and copies of all written communications to and from such potential purchasers.

By the Commission.<sup>1</sup>

Issued: December 2, 1968.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 69-1289; Filed, Jan. 30, 1969; 8:47 a.m.]

## Title 47—TELECOMMUNICATION

### Chapter I—Federal Communications Commission

[Docket No. 18218; FCC 69-61]

#### TRANSITION OF SHIP AND COAST RADIOTELEGRAPH STATIONS TO NEW FREQUENCY ASSIGNMENTS

*Report and order.* In the matter of amendments of Parts 2, 81, and 83—to establish a schedule of dates, revised technical standards, frequencies, and other requirements for the orderly transition of ship and coast radiotelegraph stations from present frequency assignments in the low, medium, and high frequency bands to new assignments within allotments and/or frequency usage as adopted by the ITU World Administrative Radio Conference on marine matters, Geneva, 1967, Docket No. 18218.

1. A notice of proposed rule making in the above-captioned matter was released on June 25, 1968, and was published in the FEDERAL REGISTER on July 3, 1968 (FCC 68-639, 33 F.R. 9665). By order, released on July 29, 1968, an extension of time was granted in which to file comments. In the notice, the Commission proposed to amend its rules governing stations in the Maritime Services to establish a schedule of dates, revised technical standards, frequencies, and other requirements for the orderly transition of ship and coast radiotelegraph stations from present frequency assignments in the low, medium, and high frequency

<sup>1</sup> Commissioner Elman dissented and filed an opinion. Commissioner MacIntyre did not participate. Commissioner Nicholson did not participate for the reason oral argument was heard prior to his appointment to the Commission.

bands to assignments within allotments and/or frequency usage as adopted by the ITU World Administrative Radio Conference on marine matters (WARC), Geneva—1967.

2. Comments were filed by: American Merchant Marine Institute, Inc. (AMMI), Collins Radio Co. (Collins), Pacific Far East Line, Inc. (PFEL), RCA Communications, Inc. (RCA), and Tropical Radio Telegraph Co. (TRT). No reply comments were filed.

3. The comments of AMMI were directed to the matter of frequency tolerance to be applied to ship stations using A1 (radiotelegraphy) emission in the bands between 4,000 and 27,500 kc/s. The comments of RCA were principally concerned with the same matter. In the filings submitted by Collins, PFEL, and TRT, no comment was made in regard to the frequency tolerance matter described above. Collins did, however, recommend that the frequency tolerance applicable to ship stations employing narrow-band direct-printing telegraph and data transmission systems be reduced to a value less than 100 cycles per second. Both of these matters are treated in later paragraphs in this report and order.

4. Collins recommended that §§ 83.552 and 83.553 be amended to include the use of emission A2H (single sideband, full carrier, tone modulation), as an alternative to emission A2. The inclusion in the rules of emission A2H, as requested by Collins, would be in accord with WARC and, therefore, is adopted. Collins further recommended these two sections be amended to include appropriate technical criteria that would produce the current signal levels comparable to that produced when emission A2 is employed. With regard to this latter recommendation, the Commission currently has under consideration the matter of antenna power necessary for compliance with §§ 83.552 and 83.553. It would be premature and possibly misleading to amend §§ 83.552 and 83.553 to include a value of equivalency for emission A2H prior to resolution of the above matter. Accordingly, during the interim period it will be necessary for transmitters operated with emission A2H under the provisions of §§ 83.552 and 83.553 to comply with the antenna power specified for emission A2. The procedure for determining antenna power is set forth in § 83.552(e) (1) and in § 83.553(e).

5. Collins recommended that footnotes be added to the appropriate bands within the allocation table of Part 2 to provide for use of 4136.1 kc/s at coast stations and for use of 4434.9 and 6518.0 kc/s at ship stations. Since this recommendation is more appropriate to the Commission's proceeding in Docket No. 18271, released August 8, 1968, it will be treated in that docket, as will the frequencies in footnote NG27.

6. To facilitate licensing, RCA recommended that the frequency column symbol "CS" be employed in referring to the special calling channels (see the bottom of the Table 1b, § 83.318(b)). This would facilitate licensing and has been included in the table.

7. RCA and TRT each called attention to typographical changes which should

be made to several of the frequency tables. These changes have been included in the respective tables.

8. PFEL recommended that the proposed § 83.320(a) be amended to permit ship stations employing narrow-band direct-printing telegraph and data transmission systems to apply for two frequency column symbols (four families of frequencies), in lieu of one frequency column symbol (two families of frequencies) as proposed by the Commission. In support thereof PFEL states they have two vessels now equipped and six more vessels under construction; that these vessels handle a high volume of traffic and that the justification for installation of the radioteletype equipment was based on the need to handle a high volume of diversified traffic.

9. PFEL notes that the frequencies (of the same megacycle order) specified within one frequency column symbol are adjacent and a single source of interference could render both channels unusable. In brief review, the spacing between adjacent channels in the bands allocated for narrow-band direct-printing telegraph and data transmission systems, as provided by the WARC, is 0.5 kc/s in the 4, 6, and 8 Mc/s bands and 1.0 kc/s in the 12, 16, and 22 Mc/s bands. The spacing proposed by the Commission between the two frequencies of the same megacycle order within one frequency column symbol is as follows: 5 kc/s for the 6 and 8 Mc/s bands; and 10 kc/s for the 12, 16, and 18 Mc/s bands. It will be noted that this is the maximum possible separation which can be provided, if the spacing between the "A" and "B" frequencies is made uniform for all frequency column symbols.

10. In preparing the table of § 83.320 (b), the Commission provided the maximum separation between the "A" and "B" frequencies of one frequency column symbol in the belief that this approach offered the greatest probability of avoiding disruption of both channels due to interfering transmissions by a single station located, for example, midway between the two channels.

11. In their comments PFEL concludes that the number of frequencies which would be available to them (in the proposals for the bands allotted for narrow-band direct-printing telegraph and data transmission systems) would be less than the number which they are presently authorized to use (in the high traffic ship radiotelegraph working frequency bands). On the basis of total frequencies available, PFEL's conclusion is correct. A conclusion based on total number of frequencies, alone, can be and in this particular case is misleading.

12. Such conclusion disregards the varying degree to which differing emissions can live together. Radioteletype emissions employing a uniform bandwidth and a minimum of frequency tolerance (this will be the case with narrow-band direct-printing telegraph and data transmission systems), can occupy adjacent channels quite satisfactorily. This is the basic situation which led to the establishment of separate bands for narrow-band direct-printing telegraph and data transmission sys-

tems. On the other hand, a similar situation does not exist with respect to radioteletype and manual radiotelegraph, where each system has incompatible aspects relative to the other.

13. Eighteen frequencies are currently authorized to PFEL in the 12, 16, and 22 Mc/s bands. Of these, 12 are shared on an equal basis between all of the "H" frequency column symbols; and three frequencies (one at each megacycle order) are allotted exclusively to H8 and three are allotted exclusively to H10. Eight frequencies are also authorized to PFEL in the 2, 4, 6, and 8 Mc/s bands. These frequencies, one at each megacycle order for H8 and one each for H10, are allotted exclusively to H8 and H10. The degree to which the shared channels can be employed by PFEL for satisfactory service will depend upon utilization of those frequencies by other vessels. Since the shared frequencies are common to H1 through H11, it would appear that disruption would occur at frequent intervals. With increased use of H1 through H11 in the future, such disruption would be expected to occur at even more frequent intervals. On the other hand, the frequencies allotted exclusively to H8 and to H10 would appear to be subject to a lesser degree of interference, because they would be available only to ships which are assigned H8 and H10. The number of ships assigned H1 through H7, H9, and H11, should be many times greater than those assigned H8 and H10. For this reason, no particular significance is attached to the availability to PFEL of these shared frequencies.

14. As concerns frequencies in the bands 2065-2089.5 kc/s and 2092.5-2107 kc/s, availability to radiotelegraph ship stations has been withdrawn, on the basis of the pressing need for more radiotelephone frequencies and the absence of radiotelegraph use of frequencies in these bands. Thus, replacement frequencies at 2 Mc/s will not be available to PFEL. At 4 Mc/s, the number of frequencies allocated to and available for narrow-band direct-printing telegraph and data transmission systems are less than in the bands at 6, 8, 12, 16, and 22 Mc/s, where 20 frequencies were allocated in each band. At 4 Mc/s, 12 frequencies were allocated. Thus, to effect the frequency plan of § 83.320(b), two frequencies each from 6, 8, 12, 16, and 22 Mc/s bands were grouped with one frequency from the 4-megacycle band to form each "N" frequency column symbol. The two remaining 4-megacycle order frequencies were made available to all of the "N" frequency column symbols.

15. In its notice, the Commission proposed to delete from the rules the distinction in availability of frequencies allocated for low traffic and those allocated for high traffic radiotelegraph ships (adopted in principle at the ITU Radio Conference, Atlantic City—1947; expanded by the ITU Radio Conference, Geneva—1959; and left to the discretion of administrations by the ITU WARC, Geneva—1967), and provided that these bands would be equally available to all high frequency radiotelegraph ship sta-

tions. Prior to the WARC, utilization by Commission licensees of the high traffic ship radiotelegraph working frequency bands was slight, due to limitations in availability. It is envisaged that the proposed change will, on an evolutionary basis, bring usage of the low traffic and high traffic ship radiotelegraph bands into balance. In regard to other administrations, it is reasonable to expect that similar relaxation will be effected by many of those administrations. Thus, it can be expected that utilization of the frequencies specified by symbols H8 and H10 will, in the future, suffer an increasing interference. Under these conditions, it would be expected that PFEL will obtain an improved service in the bands allocated for narrow-band direct-printing telegraph and data transmission systems, when those bands become available for use.

16. In regard to the current radio station authorization and the frequencies assigned thereunder, PFEL in their comments gives no information as to the number of frequencies actually used, quantitative information as to the volume of traffic handled, or actual circuit time required to transmit and receive that traffic. Failing this information, a positive determination can not be made that frequencies in addition to those provided by each "N" frequency symbol are required and should be provided. In any event, assignments are made by the Commission on the basis of public need, in contrast to the individual need. The factors which caused PFEL to lead the way by installation aboard their fleet of equipment employing new techniques will be similarly applicable to other fleets, of U.S. and foreign registry. Thus, it is reasonable to expect that more and more ships will be equipped for use of the same or similar system(s). On the one hand, the number of frequencies authorized for PFEL use should be adequate for the proper functioning of that system; on the other hand, the number authorized should not exceed the actual system needs, or be such that frequencies are not available for other licensees desiring to use the same or similar system.

17. In the view of the Commission, the information submitted by PFEL does not justify assignment of a number of frequencies in excess of that provided by a single frequency column symbol in the "N" series. Accordingly, the recommendation of PFEL that § 83.320(a) be amended to permit assignment of two frequency column symbols to a licensee is not adopted.

18. In regard to the frequency tolerance to be applied to coast and ship stations operating in the narrow-band direct-printing telegraph and data transmission systems, Collins urges the adoption of values of 20 cycles per second for coast stations and 50 cycles per second for ship stations. In support of these values, Collins points to the benefits which will accrue from their adoption and use. These benefits include the avoidance of manual methods of transmitter and receiver adjustment, tuning, and protracted test transmissions to

establish a circuit. No opposing views were filed.

19. From the frequency management and utilization point of view, it is a desired objective to reduce to a practical minimum the number of frequencies used and the duration of transmission on those frequencies. While it is appropriate to look to discontinuance of the practice of calling on manual telegraph channels to make arrangement for machine transmission on other channels, followed by test transmissions and preparatory adjustments on the machine frequencies, a program of that magnitude, would require both national and international coordination, among other things, and, therefore, is not within the scope of this proceeding.

20. The providing and maintenance of an adequate minimum difference in frequency between the coast station receiver and the ship station transmitter, or vice versa, is an essential system element for optimum performance of the narrow-band direct-printing telegraph and data transmission system(s). In the case of this system(s), the bandwidth of each channel is small and the selectivity of the receiver, to reject undesired adjacent channels, must be sharp. To avoid preparatory test transmissions and tuning, the transmitted signal, plus deviation, must be maintained within the receiver selectivity and, within practical limits, be centered on the discriminator detector (or other detector, where used). It is appropriate, therefore, to adopt in this proceeding a frequency tolerance which offers reasonable promise of optimum system(s) performance. Accordingly, a coast station tolerance of 20 cycles and a ship station tolerance of 50 cycles per second is adopted.

21. In their comments, Collins expresses the view that it is premature to establish a fixed assignment arrangement of frequencies for narrow-band direct-printing telegraph and data transmission systems, or to make such arrangement in proportion to manual radiotelegraph frequency assignment arrangements. In support of their view, Collins states:

" \* \* \* Specific planning for the use of these frequencies is largely a matter of conjecture and not based on operational plans that have had sufficient government and industry consideration \* \* \*. We recommend \* \* \* that the Commission defer this part of the proposed rulemaking, except to make provision for assignment of any of the groups of frequencies on a case by case basis pending further study by interested parties. Such a study, for example, could be done within the Radio Technical Commission for Marine Services, where government and/or industry could have sufficient time to develop a sound operating plan for the assignment and use of the frequencies.

22. In the view of the Commission, these supporting arguments of Collins offer little basis for withdrawing the frequency table of § 83.320, for amending § 83.321 to delete the "N" frequency column symbols, and to add provisions, at an appropriate place, for assignment of frequencies for narrow-band direct-printing telegraph and data transmission systems on a case by case basis.

First, the Commission does not agree that specific planning for the use of these frequencies is largely a matter of conjecture. For example, pairing of frequencies into families to provide for propagation over variable and extended distances is a long standing principle. That principle has been applied to aviation, marine, broadcasting, and fixed radio services for decades. It appears there is no alternative to doing this in the case of assignment of frequencies for narrowband direct-printing telegraph and data transmission systems. Further, Collins submits no information to indicate there will or should be an exception in this instance.

23. In regard to Collins comment that "Specific planning for the use of these frequencies is \* \* \* not based on operational plans that have had sufficient government and industry coordination", the Commission is unable to interpret this as justification for withholding action. In regard to operational planning for the use of these frequencies, it is noted that Collins does not state there is need for development of operational plans, that the development of such plans is in progress, or that Collins intends to urge the development of such plans. Accordingly, guidance to industry appears necessary and §§ 83.320 and 83.321 are adopted as proposed.

24. In their comments, AMMI and RCA opposed adoption of the frequency tolerances proposed by the Commission, § 83.131(b) (7) (i) and (ii), for application to ship stations using class A1 emission in the bands between 4,000 and 27,500 kc/s. The current rules provide that these ship stations shall conform to a frequency tolerance of 200 parts per million (PPM), or 0.02 percent. The Commission proposed this tolerance be reduced to 50 parts per million (PPM), or 0.005 percent. As proposed, the tolerance of 50 PPM would be applicable to all types of transmitters after January 1, 1973, and to new types of transmitters brought into service after January 1, 1970. Types of transmitters authorized in ship stations prior to January 1, 1970,

could continue use of 200 PPM until January 1, 1973.

25. In their comments, RCA urged that the changes in frequency tolerance not exceed those values adopted by the ITU World Administrative Radio Conference on marine matters (WARC), Geneva, 1967. The frequency tolerances adopted by the WARC for ship stations operating Class A1 emissions in these bands are as follows:

Low traffic ships----- 200 PPM, (j).  
High traffic ships----- 50 PPM, (j), (m).

(j) A frequency tolerance of 50 parts in  $10^6$  shall be applicable, in the case of assignments made after April 1, 1969, to ship stations using the lowest or highest series of (1) calling frequencies; (2) working frequencies for low traffic and high traffic ships.

(m) Applicable to new transmitters installed after April 1, 1969. Ship station transmitters installed before this date may continue to have a tolerance of 200 parts in  $10^6$  until January 1, 1973 from which date all high traffic ship station transmitters shall have a tolerance of 50 parts in  $10^6$ .

26. RCA indicated changes in frequency tolerance as adopted by the WARC are acceptable. On the other hand, AMMI gives conditional indication that the arrangement for low traffic ships, as adopted by the WARC, is acceptable. Specifically, AMMI does not indicate that the tolerance of 50 PPM, made applicable by WARC to the lowest and highest frequency of the calling frequencies, is acceptable. Further, AMMI gives no indication that the arrangement of frequency tolerance for high traffic ships, as adopted by WARC, is acceptable. As submitted, the AMMI comments support continuation without termination of the frequency tolerance of 200 PPM.

27. It is appropriate at this point to tabulate frequency tolerance versus channel spacing in the six exclusive maritime frequency bands available for high traffic ships, calling band, and low traffic ships. For convenience the frequency bands are rounded-off to even megacycles. Three frequency tolerances, expressed in parts per million (PPM), are shown in the following table:

Mc/s	Frequency tolerance @ 200 PPM	Channel spacing	Frequency tolerance @ 100 PPM	Channel spacing	Frequency tolerance @ 50 PPM	Channel spacing
	kc/s	kc/s	kc/s	kc/s	kc/s	kc/s
4-----	$\pm 0.8$	0.5	$\pm 0.4$	0.5	$\pm 0.2$	0.5
6-----	$\pm 1.2$	.75	$\pm .6$	.75	$\pm .3$	.75
8-----	$\pm 1.6$	1.0	$\pm .8$	1.0	$\pm .4$	1.0
12-----	$\pm 2.4$	1.6	$\pm 1.2$	1.6	$\pm .6$	1.6
16-----	$\pm 3.2$	2.0	$\pm 1.6$	2.0	$\pm .8$	2.0
22-----	$\pm 4.4$	2.5	$\pm 2.2$	2.5	$\pm 1.1$	2.5

28. As indicated in the table, (a) with a tolerance of 200 PPM:

—At 4 Mc/s, the ship station transmitter is permitted to vary within a band of  $\pm 0.8$  kc/s, or 1600 cps. The channel width, however is only 0.5 kc/s, or 500 cps. Similarly,

—At 22 Mc/s, the ship transmitter is permitted to vary within a band of  $\pm 4.4$  kc/s, or 8800 cps; where the channel width is 2.5 kc/s.

(b) With a tolerance of 100 PPM:

—At 4 Mc/s, the ship station transmitter is permitted to vary within a band of

$\pm 0.4$  kc/s, or 800 cps. The channel width is 0.5 kc/s, or 500 cps. Similarly,  
—At 22 Mc/s, the ship transmitter is permitted to vary within a band of  $\pm 2.2$  kc/s, or 4400 cps. The channel width is 2.5 kc/s.

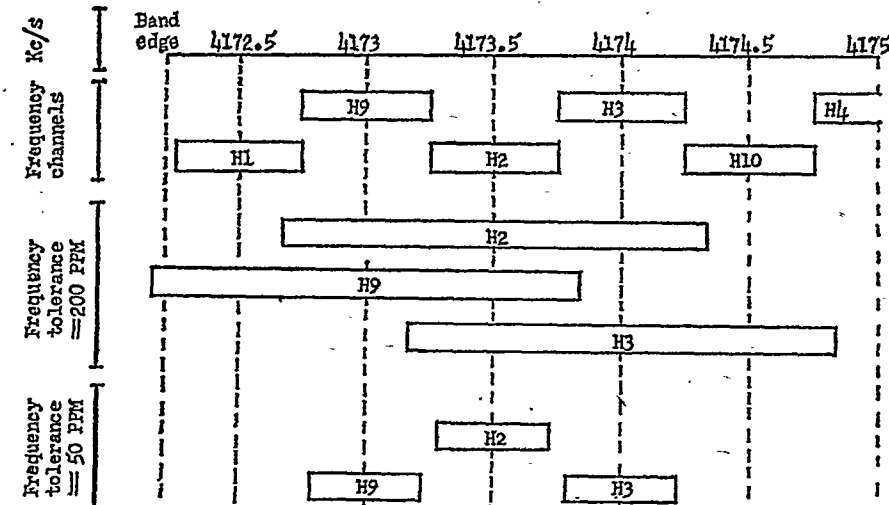
(c) With a tolerance of 50 PPM:

—At 4 Mc/s, the ship station transmitter is permitted to vary within a band of  $\pm 0.2$  kc/s, or 400 cps. The channel width is 0.5 kc/s. Similarly,  
—At 22 Mc/s, the ship transmitter is permitted to vary within a band of  $\pm 1.1$  kc/s, or 2200 cps. The channel width is 2.5 kc/s.



29. On the basis of the foregoing, the percentage of ship transmitter variation which is outside of the allotted channel width, for the three values of frequency tolerance, is shown in the following table:

Frequency tolerance (PPM)	Band (Mc/s)	Channel width (CPS)	Transmitter variation (CPS)	Variation outside channel
				Percent
200-----	4	500	1600	220
	22	2500	8000	212
100-----	4	500	800	60
	22	2500	4400	76
50-----	4	500	400	0
	22	2500	2200	0



If we now examine the added effect created (within the same general spectrum) by H9 and H3, it is noted:

H9 would extend through H1, beyond the band edge and into the highest frequency channel (4172 kc/s) allotted for narrow-band direct-printing telegraph and data transmission systems, on the low frequency side; and through H2 and into H3, on the high frequency side; and

H3 would extend through H2 and into H9, on the low frequency side; and through H10 and into H4 (4175 kc/s) on the high frequency side.

31. From the practical point of view, a receiver having capability to receive a single radiotelegraph channel (0.5 kc/s at 4 Mc/s) could be expected to receive ship stations transmitting on channels as follows, with the receiver tuned as indicated:

Receiver tuned to	Ship stations transmitting on
H1 (4172.5 kc/s)-----	H1, H9, and part of H2;
H9 (4173 kc/s)-----	H9, H1, H2, and part of H3;
H2 (4173.5 kc/s)-----	H2, H9, H3, and part of H1 and H10;
H3 (4174 kc/s)-----	H3, H2, H10, and part of H9 and H4.

32. In the case of assignments to ship stations made after April 1, 1969, as adopted by the WARC, a tolerance of 50

30. With regard to continued application of a frequency tolerance of 200 PPM, it is appropriate to select one frequency and examine its impact upon neighboring frequencies, under the channeling arrangement adopted by the WARC. For example, 4173.5 kc/s,  $\pm 200$  PPM, extends from 4172.665 to 4174.335 kc/s. Overlaying these limits on the frequency plan proposed by the Commission for the high traffic band, it is noted:

H2 (4173.5 kc/s) would extend through H9 (4173 kc/s) and into H1 (4172.5 kc/s), on the low frequency side; and through H3 (4174 kc/s) and into H10 (4174.5 kc/s), on the high frequency side.

The positioning of these frequencies is illustrated in the following:

PPM is applicable to the following frequencies:

4172.5	6279.75	12,504	16,746
4177.5	6281.25	12,532.5	16,750
4178.5	6343.5	12,535.5	16,916
4186.5	8342	12,559.5	22,187
4187.5	8355	12,562.5	22,221
4229	8357	12,687	22,225
6258.75	8373	16,662	22,265
6266.25	8375	16,710	22,270
6267.75	8458	16,714	22,370

<sup>1</sup> CS (Special Calling frequencies)

These frequencies, by frequency column symbol, are positioned in the proposed frequency tables as follows:

Proposed section	Frequency column symbols
83.317(b) -----	H1, H6, <sup>1</sup> H8, H9, <sup>1</sup>
83.318(b) -----	C1, CS (Special Calling), C9, <sup>1</sup>
83.319(b) <sup>2</sup> -----	L29, <sup>1</sup> L30, <sup>1</sup> L34, L41, <sup>1</sup> L42.

<sup>1</sup> 22 Mc/s only.

<sup>2</sup> Group "B" only.

33. In examining the information set forth in paragraphs 27, 28, and 29, above, it is apparent that with a frequency tolerance of 200 PPM, once the WARC channel spacing comes into force:

(a) A ship station assigned, for example, H1, H9, or H8 in the 4 Mc/s band, could be within tolerance while operating on a frequency which is outside the (high traffic) band; or a ship station assigned

H2 could be within tolerance while operating on H9, H3, H1, or H10.

(b) To assure that a ship station transmitting on H2 was within the pass band of a radiotelegraph receiver, tuned to H2, the bandwidth of that receiver would have to be such that, at 4 Mc/s, it would accept H3, H9, and part of H1 and H10. Under these circumstances there would be little if any incentive to develop receiving equipment having the capability to receive a single WARC frequency and to reject both adjacent frequencies.

(c) To contain ship station transmissions within band limits, 36 WARC frequencies proposed in the notice could not be assigned and would have to be withdrawn.

34. On the basis of the foregoing, it is apparent the Commission would be unable to determine the assigned frequency on which a ship station was transmitting, or whether that ship station was on-frequency or off-frequency. Thus, the Commission would be unable to administer the WARC agreement. Contrary thereto, however, the Commission is of the view that the channel spacing adopted by the WARC in the high traffic ship, calling, and how traffic ship bands is adequate to meet the needs of the maritime services and should be adopted. In the view of the Commission, the WARC channeling arrangement cannot be implemented if a frequency tolerance of 200 PPM is adopted.

35. In their comments, RCA urged that the value of frequency tolerance adopted not exceed the values adopted by the WARC (see paragraph 25, above). As set forth in paragraph 29, above, in order to operate on 36 of the WARC frequencies, ship station transmitters must comply with a tolerance of 50 PPM on and after April 1, 1969. Further, on and after January 1, 1973, WARC specifies a tolerance of 50 PPM for all high traffic ship station transmitters. RCA offers no comment in regard to compliance, or lack thereof, with the tolerance of 50 PPM, effective April 1, 1969, which is applicable to the lowest and highest series of calling frequencies and working frequencies for low traffic and high traffic ships. It is appropriate to note that a ship station, having the capability to comply with a tolerance of 50 PPM at both ends of the small bands here involved, will also have the capability to comply with 50 PPM at the intermediate frequencies.

36. In their comments, RCA, in reference to WARC Recommendation No. MAR 7, states " \* \* \* It is undesirable and burdensome to require large-scale replacement of crystals and modification or replacement of a large amount of ship transmitting equipment by January 1, 1973, as proposed by the Commission when there is a strong likelihood that additional changes will be necessary pursuant to actions taken by the next appropriate WARC."

37. In regard to changing of crystals, it is apparent that as a result of the band adjustments and channel splitting adopted by the WARC, the frequencies

which will become available will differ from those currently available. In the frequency tables of §§ 83.317(b), 83.318(b), and 83.319(b), the current frequency is shown in the "until" column and the replacement frequency is shown in the "after" column. The amount of difference (change within each of the various frequency column symbols) can be ascertained by a comparison of these two columns. The percentage of change, i.e., one or more frequencies changed within a frequency column symbol, is tabulated by megacycle order for each of the high traffic, calling, and low traffic bands, as follows:

**High traffic bands:**

Frequency band (Mc/s): 4, 6, 8, 12, 16, 22,

Percent change (%): 36, 70, 57,<sup>1</sup> 40,<sup>2</sup> 32,<sup>3</sup> 28.<sup>4</sup>

**Calling bands:**

Frequency band (Mc/s): 4, 6, 8, 12, 16, 22,

Percent change (%): 52,<sup>5</sup> 52,<sup>5</sup> 52,<sup>5</sup> 52,<sup>5</sup> 52.<sup>5</sup>

**Low traffic bands:**

Frequency band (Mc/s): 4, 6, 8, 12, 16, 22,

Percent change (%): 15, 24.5, 24.5, 24.5, 24.5, 68.

38. From the foregoing, with no change in the value of frequency tolerance specified in the Commission's rules, it will be necessary to replace a substantial number of crystals aboard ship in order to operate on the revised frequencies adopted by the WARC. It is noted, however, that a relatively small number of ships are authorized for radiotelegraph operation, approximately 1,800 vessels. In view thereof, the Commission is not persuaded that compliance with a tolerance of 50 PPM is either undesirable or burdensome.

39. Turning now to Recommendation No. MAR 7, which is entitled "Relating to Harmonic Relationship and Channel Spacing in the High Frequency Bands used by Ship Stations for Radiotelegraphy", that Recommendation considers the need for maximum efficiency in use of the HF spectrum, new developments (frequency synthesizers), tentatively accepts that use of harmonically related frequencies may hinder fullest future use of the bands, recognizes that replacement of present equipment may require a period of 20 years; the recommendation states:

1. That administrations should study, in the light of advancing techniques, the problems relating to future use of harmonic relationship in ships' radio equipment and to the determination of the optimum channel spacing and the number of channels in the bands allocated for calling and for high and low traffic ships, as indicated in Appendix 15 to the Radio Regulations, and should submit their proposals for consideration by the next World Administrative Radio Conference competent to deal with the matter;

2. That administrations should consider whether the use of synthesized transmitters

by ship stations will make it desirable to modify the provisions for low traffic ships of Nos. 1196 to 1201 of the Radio Regulations, in order to allow more flexibility in the choice of actual working frequencies.

40. The substance of Recommendation No. MAR 7 is directed to long-range planning for the next generation of ship board radiotelegraph equipment. It was not the intent of WARC that Recommendation No. MAR 7 be used as a basis for not implementing the channel spacing or replacement frequencies provided by that Conference. It is not possible, at this time, to forecast the year during which "the next World Administrative Radio Conference competent to deal with the matters", set forth under paragraph 1 of the recommendation, will be convened. Based on the spacing between earlier such conferences, however, a period of 8 years would be expected. Thus, the next competent conference could be held around 1975. In the view of the Commission, a delay of such magnitude in implementing the WARC channel spacing and replacement frequencies has not been justified.

41. RCA states that it is essential to retain a frequency tolerance of 200 PPM in order to preserve the random distribution of signals around each assigned frequency. With this distribution the coast station operator, by use of the beat-frequency oscillator in the receiver, varies the tone of the audio signal produced at the receiver output as a means of separating transmissions of the desired ship station from transmissions by other, or undesired ship stations. The technique referred to by RCA has been used in manual radiotelegraph operation for many decades. The question here is not whether this technique should be continued, which it certainly must, but whether this technique can be successfully applied if ship stations are operated with a tolerance of 50 PPM. Beat-frequency oscillators commonly operate at the second/late intermediate frequency (IF) and are injected into the final detector of the receiver. The difference or beat frequency is that produced by the difference between the incoming signal at the (last) IF frequency and the beat-frequency oscillator. In the detection process, the radio frequency is removed and the difference frequency, at audio, is produced at the output. The difference frequency may be varied by the operator by adjustment of the frequency of the beat-frequency oscillator. If two ship station transmissions enter the receiver IF separated by 100 cycles per second, they will also be 100 cps apart at the receiver audio output. A difference of 100 cps may be adequate for satisfactory reception by the operator. If not, by varying the beat-frequency oscillator, advantage can be taken of the receiver audio response, headphone resonances, or disparities in operator hearing to obtain a preferred status for the desired signal and, thus, to separate it from other (undesired) transmissions.

42. In the example set forth in paragraph 27, above, with a tolerance of 200 PPM, ship stations may be operating on any one of three channels plus parts of

two others. As a practical matter, the ships on these channels could be lumped into a narrow band. Under that condition, the number of ships could substantially exceed the number which would be observed if they were required to operate on a specified assigned frequency, with a tolerance of 50 PPM, and their number distributed through the band.

43. The "Ship Radiotelegraph Frequency Plan" is set forth in § 83.321. The objective of that plan is to provide order in the use of the available frequencies by assigning ships to specific frequencies as a means of distributing the communications load throughout the bands, and thereby, to reduce the probability of bunching of ship stations on a few frequencies, with consequent congestion. Under this plan, with a frequency tolerance of 200 PPM, ships served by RCA would be intermingled with ships served by IT&T, TRT, et al, and vice versa. It is, thus, apparent that the orderly use of the available frequencies provided by § 83.321 would be defeated.

44. Based on the foregoing considerations, the Commission is adopting the amendments to the frequency tolerance tables of Parts 81 and 83 as set forth in the notice. The recommendations of AMMI and RCA, that a tolerance of 200 PPM be continued without termination is rejected.

45. An application for modification submitted solely for a frequency change that is necessary to comply with any rule amendments adopted as a result of this proceeding may be submitted without a fee.

46. In view of the foregoing: *It is ordered*, That, pursuant to the authority contained in sections 4(i) and 303 (c), (e), and (r) of the Communications Act of 1934, as amended, Parts 2, 81, and 83 of the Commission's rules are amended effective March 7, 1969, as set forth below.

47. *It is further ordered*, That the proceeding in Docket No. 18218 is terminated.

(Secs. 4, 303, 48 Stat., as amended 1066, 1082; 47 U.S.C. 154, 303)

Adopted: January 22, 1969.

Released: January 28, 1969.

FEDERAL COMMUNICATIONS  
COMMISSION,<sup>1</sup>

[SEAL] BEN F. WARLE,  
Secretary.

## PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS: GENERAL RULES AND REGULATIONS

### § 2.106 [Amended]

1. In § 2.106, Footnote 171 is deleted in Column 4 from the 130-160 kc/s frequency band, the entries in Column 7-11 for the 130-160, 2065-2107, 4063-4438, 6200-6525, 8195-8815, 12,330-13,200, 16,460-17,360, 22,000-22,720 kc/s bands are amended to read as follows:

<sup>1</sup> Commissioners Wadsworth and H. Rex Lee absent; Commissioner Johnson concurring in the result.

<sup>1</sup> Does not include 3 new frequencies.

<sup>2</sup> Does not include 6 new frequencies.

<sup>3</sup> Does not include 14 new frequencies.

<sup>4</sup> Does not include 8 new frequencies.

<sup>5</sup> Includes the CS. (Special Calling) frequencies.

FEDERAL COMMUNICATIONS COMMISSION

Band (kc/s)	Service	Class of station	Frequency (kc/s)	Nature (OF SERVICES)
7	8	9	10	11
***	***	***	***	***
180-160	FIXED MARITIME MOBILE.	Coast. Fixed Ship.	***	FIXED (in Alaska) INTERNATIONAL FIXED PUBLIC. MARITIME MOBILE.
***	***	***	***	***
2085-2089.5 (200)	MARITIME MOBILE.	Coast. Ship.	***	MARITIME MOBILE.
2089.5-2092.5	MARITIME MOBILE.	Ship.	***	Ship (telephony).
2092.5-2107 (200)	MARITIME MOBILE.	Coast. Ship.	***	MARITIME MOBILE.
***	***	***	***	***
4003-4139.5	MARITIME MOBILE.	Ship.	***	Ship (telephony).
4139.5-4142.5 (US82)	MARITIME MOBILE.	Ship. Coast.	***	Ship. Coast. (telephony, simplex).
4142.5-4162.5	MARITIME MOBILE.	Ship.	***	Ship (wideband telephony, facsimile, and special transmission systems).
4162.5-4166	MARITIME MOBILE.	Ship. Buoy. Interrogating Coast.	***	Ship. Buoy. Interrogating Coast. (Oceanographic data transmission).
4166-4172.25	MARITIME MOBILE.	Ship.	***	Ship (narrow-band direct-printing telegraph and data transmission systems).
4172.25-4231	MARITIME MOBILE.	Ship.	***	Ship (telephony).
4231-4361	MARITIME MOBILE.	Coast.	***	Coast (wide-band and manual telephony, facsimile, special and data transmission systems and direct-printing telegraph systems).
4361-4488	MARITIME MOBILE.	Coast.	***	Coast (telephony).
***	***	***	***	***
6200-6210.4	MARITIME MOBILE.	Ship.	***	Ship (telephony).
6210.4-6216.5 (US82)	MARITIME MOBILE.	Ship. Coast.	***	Ship. Coast. (telephony, simplex).

FEDERAL COMMUNICATIONS COMMISSION—Continued

Band (kc/s)	Service	Class of station	Frequency (kc/s)	Nature (OF SERVICES)
7	8	9	10	11
6210.5-6244.5	MARITIME MOBILE.	Ship.	***	Ship (wide-band telephony, facsimile, and special transmission systems). (NG26)
6244.5-6248	MARITIME MOBILE.	Ship. Buoy. Interrogating Coast.	***	Ship. Buoy. Interrogating Coast. (Oceanographic data transmission).
6248-6258.25	MARITIME MOBILE.	Ship.	***	Ship (narrow-band direct-printing telegraph and data transmission systems).
6258.25-6345.5	MARITIME MOBILE.	Ship.	***	Ship (telephony).
6345.5-6514	MARITIME MOBILE.	Coast.	***	Coast (wide-band and manual telephony, facsimile, special and data transmission systems and direct-printing telegraph systems). (NG27)
6514-6525	MARITIME MOBILE.	Coast.	***	Coast (telephony).
***	***	***	***	***
8195-8281.2	MARITIME MOBILE.	Ship.	***	Ship (telephony).
8281.2-8283 (US82)	MARITIME MOBILE.	Ship. Coast.	***	Ship. Coast. (telephony, simplex).
8283-8328	MARITIME MOBILE.	Ship.	***	Ship (wide-band telephony, facsimile, and special transmission systems).
8328-8331.5	MARITIME MOBILE.	Ship. Buoy. Interrogating Coast.	***	Ship. Buoy. Interrogating Coast. (Oceanographic data transmission).
8331.5-8341.76	MARITIME MOBILE.	Ship.	***	Ship (narrow-band direct-printing telegraph and data transmission systems).
8341.76-8469.5	MARITIME MOBILE.	Ship.	***	Ship (telephony).
8469.5-8728.5	MARITIME MOBILE.	Coast.	***	Coast (wide-band and manual telephony, facsimile, special and data transmission systems and direct-printing telegraph systems).
8728.5-8815	MARITIME MOBILE.	Coast.	***	Coast (telephony).
***	***	***	***	***
12330-12421	MARITIME MOBILE.	Ship.	***	Ship (telephony).
12421-12431.5 (US82)	MARITIME MOBILE.	Ship. Coast.	***	Ship. Coast. (telephony, simplex).
12431.5-12470.5	MARITIME MOBILE.	Ship.	***	Ship (wideband telephony, facsimile, and special transmission systems).
12470.5-12483	MARITIME MOBILE.	Ship. Buoy. Interrogating Coast.	***	Ship. Buoy. Interrogating Coast. (Oceanographic data transmission).
12483-12503.25	MARITIME MOBILE.	Ship.	***	Ship (narrow-band direct-printing telegraph and data transmission system).

## FEDERAL COMMUNICATIONS COMMISSION—Continued

Band (kc/s)	Service	Class of station	Frequency (kc/s)	Nature	OF SERVICES of stations
7	8	9	10		11
12503.25-12689	MARITIME MOBILE.	Ship.		Ship (telephony).	
12689-13107.5	MARITIME MOBILE.	Coast.		Coast (wide-band and manual telegraphy, facsimile, special and data transmission systems and direct-printing telegraph systems).	
13107.5-13200	MARITIME MOBILE.	Coast.		Coast (telephony).	
***	***	***	***		***
16460-16565	MARITIME MOBILE.	Ship.		Ship (telephony).	
16565-16576 (US82)	MARITIME MOBILE.	Ship. Coast.		Ship. Coast. (telephony, simplex).	
16576-16636.5	MARITIME MOBILE.	Ship.		Ship (wideband telegraphy, facsimile, and special transmission systems).	
16636.5-16640	MARITIME MOBILE.	Ship. Buoy. Interrogating Coast.		Ship. Buoy. Interrogating Coast. (Oceanographic data transmission).	
16640-16660.5	MARITIME MOBILE.	Ship.		Ship (narrow-band direct-printing telegraph and data transmission systems).	
16660.5-16917.5	MARITIME MOBILE.	Ship.		Ship (telephony).	
16917.5-17255	MARITIME MOBILE.	Coast.		Coast (wide-band and manual telegraphy, facsimile, special and data transmission systems and direct-printing telegraph systems).	
17255-17360	MARITIME MOBILE.	Coast.		Coast (telephony).	
***	***	***	***		***
22000-22094.5	MARITIME MOBILE.	Ship.		Ship (telephony).	
22094.5-22112 (US82)	MARITIME MOBILE.	Ship. Coast.		Ship. Coast. (telephony, simplex).	
22112-22160.5	MARITIME MOBILE.	Ship.		Ship (wideband telegraphy, facsimile, and special transmission systems).	
22160.5-22164	MARITIME MOBILE.	Ship. Buoy. Interrogating Coast.		Ship. Buoy. Interrogating Coast. (Oceanographic data transmission).	
22164-22184.5	MARITIME MOBILE.	Ship.		Ship (narrow-band direct-printing telegraph and data transmission systems).	
22184.5-22374	MARITIME MOBILE.	Ship.		Ship (telephony).	
22374-22624.5	MARITIME MOBILE.	Coast.		Coast (wide-band and manual telegraphy, facsimile, special and data transmission systems and direct-printing telegraph systems).	
22624.5-22720	MARITIME MOBILE.	Coast.		Coast (telephony).	

2. In § 2.106, footnotes to the table, Geneva footnotes, number (171) is deleted; and numbers (158), (167), and (200) are amended to read as follows:

(158) Limited to coast telegraph stations (A1 and F1 only). Exceptionally, the use of class A7J emission is permissible subject to the necessary bandwidth not exceeding that normally used for class A1 or F1 emissions in the bands concerned.

(167) Only classes A1 or F1, A4 or F4 emissions are authorized in the band 90-160 kc/s for stations of the fixed and maritime mobile services. Exceptionally, class A7J emission is also authorized in the band 90-160 kc/s for stations of the maritime mobile service.

(200) In Region 2, except in Greenland, coast stations and ship stations using radiotelephony shall be limited to class A3A or

A3J emission and to a peak envelope power not exceeding 1 kw. Preferably, the following carrier frequencies should be used: 2065.0 kc/s, 2079 kc/s, 2082.5 kc/s, 2086.0 kc/s, 2093.0 kc/s, 2096.5 kc/s, 2100.0 kc/s, 2103.5 kc/s.

3. In § 2.106, footnotes to the table, U.S. footnotes, US14 and US82 are amended to read as follows:

US14 This frequency band is not available to non-Government stations except that the frequency 512 kc/s is available for use by non-Government ship telegraph stations, as a working frequency. When 500 kc/s is being used for distress purposes, ship and coast stations may use 512 kc/s for calling.

US82 The assignable frequencies in this band may be authorized on a shared non-priority basis to Government and non-Government ship and coast stations (SSB tele-

phony, with peak envelope power not to exceed 1 kw).

## PART 81—STATIONS ON LAND IN MARITIME SERVICES

B. Part 81, Stations on Land in the Maritime Services, is amended as follows:

1. In § 81.131, subparagraph (3) of paragraph (b) is amended to read as follows:

§ 81.131 Authorized frequency tolerance.

- (b) \*\*\*
- (3) From 4000 to 27,500 kc/s:
- (i) For A3A, A3B, A3H, and A3J emissions ..... 20 c/s
- (ii) For narrow-band direct-printing telegraph and data transmission systems ..... 40 c/s
- (iii) For other than (i) and (ii), above ..... 15

2. In § 81.133, the headnote and the table in paragraph (a) are amended to read as follows:

§ 81.133 Authorized bandwidth.

(a) \*\*\*

Class of emission	Emission designator	Authorized bandwidth (kc/s)
A1	0.16A1	0.3
A2	2.60A2	2.5
A3	6A3	8.0
A3A	2.8A3A	3.5
A3B	5.6A3B	7.0
A3H	2.8A3H	3.5
A3J	2.8A3J	3.5
F1	0.3F1	1.5
F3	16F3	20.0
F3	36F3	40.0
F0	(9)	(9)

<sup>1</sup> Narrow-band Direct-printing Telegraph and Data Transmission Systems.

<sup>2</sup> Applicable when maximum authorized frequency deviation is 5 kc/s. See paragraph (c) of this section.

<sup>3</sup> Applicable when maximum authorized frequency deviation is 15 kc/s. See paragraph (c) of this section.

<sup>4</sup> Variable.

3. Add a new § 81.143 to Subpart E, to read as follows:

§ 81.143 Narrow-band direct printing radiotelegraph equipment.

Radiotelegraph equipment operating on frequencies in the band 4-23 Mc/s allotted for narrow-band direct-printing radiotelegraph and data transmission systems shall fulfill the following conditions:

(a) Be capable of transmission and reception of signals conforming to the International Alphabet Code No. 2 at a modulation rate of 50 bauds and shall provide similar signals at its output for extension to the public telegraph network;

(b) The modulation rate over the radio path shall not exceed 100 bauds; and

(c) Class F1 emission shall be used, with a total frequency shift of 170 cycles per second.

4. In § 81.190, paragraph (a) is amended to read as follows:

### § 81.190 Radiotelegraph watch by coast stations.

(a) All coast stations (public and limited) licensed to use telegraphy on frequencies within the band 405-535 kc/s shall, during their hours of service, take the necessary measures to insure an efficient safety watch by a duly licensed radiotelegraph operator on the international distress frequency 500 kc/s for three minutes twice each hour, beginning at x h. 15 and x h. 45 Greenwich mean

time. The safety watch maintained shall be efficient for classes A1, A2, and A2H emissions. For this purpose, either headphones or loudspeaker may be used, on condition that use of the loudspeaker is not less effective than use of headphones. While maintaining this watch, the operator shall not use or operate any radio equipment (such as, for examples, broadcast receivers, or amateur transmitters or receivers) not actually required in connection with maritime mobile service.

by the calling ship station, the coast station may reply on 512 kc/s. Under these circumstances, coast stations may also use 512 kc/s as a calling frequency, however, transmissions on 512 kc/s shall be limited to the minimum necessary to establish communications and to shift to its working frequency.

### PART 83—STATIONS ON SHIPBOARD IN MARITIME SERVICES

C. Part 83, Stations on Shipboard in the Maritime Services, is amended as follows:

1. In § 83.105, the headnote and paragraph (a) are amended to read as follows:

#### § 83.105 Required channels for radio-telegraphy.

(a) Each ship station using telegraphy on frequencies within the band 405-535 kc/s shall be capable of:

(1) Transmitting class A2 or A2H emission and receiving classes A2 and A2H emissions with a carrier frequency of 500 kc/s.

(2) Transmitting, in addition, class A1 and either A2 or A2H emissions on at least two working frequencies.

(3) Receiving, in addition, classes A1, A2, and A2H emissions on all other frequencies necessary for their service.

(4) When a radiotelegraph installation is compulsorily fitted for safety purposes, a fourth frequency within this band which is authorized specifically for direction finding must be provided also.

2. In § 83.131, subparagraph (7) of paragraph (b) is amended to read as follows:

#### § 83.131 Authorized frequency tolerance.

(b) \* \* \*

- (7) Stations when using frequencies within the band 4000-27,500 kc/s:
- (i) Ship stations using A1 emission<sup>1</sup> ..... 50
  - (ii) Ship stations using frequencies allotted for narrow-band direct-printing telegraph and data transmission system ..... 50 c/s
  - (iii) Ship stations using A3A, A3B, A3H, or A3J emissions ..... 50 c/s
  - (iv) Ship stations using emissions other than (i), (ii), or (iii), above ..... 50
  - (v) Survival craft stations on 8364 kc/s ..... 200

<sup>1</sup> The tolerance shown in the table is applicable to all types of transmitters after Jan. 1, 1973, and to new types of transmitters brought into service after Jan. 1, 1970. Types of transmitters authorized in ship stations prior to Jan. 1, 1970, may continue with a tolerance of 200 parts in 10<sup>6</sup> until Jan. 1, 1973.

### § 81.206 [Amended]

5. In § 81.206, the tabulation of frequencies following paragraph (a) is amended to read as follows:

Area	90-160 (kc/s)	415-525 (kc/s)	2 Mc/s	4 Mc/s	6 Mc/s	8 Mc/s	12 Mc/s	16 Mc/s	22 Mc/s
North Atlantic.....	112.85 124.05 130.35 132.10 134.65 137.00	418 436 442 460 472 482	2036 2040.5 2046.5 2051 2054 2060	4238 4268 4331 4343 4346 4367	6351.5 6376 6414.5 6418 6502 6505.5	8502 8514 8586 8610 8630 8658	12745.5 12925.5 12948.0 12961.5 12997.5 13020.0	16933.2 16968.8 16973.6 16997.6 17021.6 17093.6	22407 22485 22503 22521 22599 22617
Central Atlantic.....	146.80 147.50	512 512	2063	4346	6484.5	8502	12385.0		
South Atlantic.....	137.70	434 464 472 488 500	2039 2043.5 2051 2057	4250 4292 4295	6389.65 6407.5 6411	8486 8525 8686	12952.5 12970.5 13011.0 13078.5	16918.8 17068.8 17169.8 17170.4	22431 22503 22569 22599
North Pacific.....		482 488 500	2058.5 2063	4349	6411	8582 8658	12907.5 12916.5	17007.2	22539
Central Pacific.....	126.25 147.85	426 436 460 476 500	2037.5 2045 2061.5	4247 4274 4358	6348 6385.5 6477.5	8558 8618 8642	12695.5 12808.5 12844.5 13002.0	17016.8 17026.0 17088.8 17184.8	22425 22479 22515 22567
South Pacific.....		418 464 482 500	2049.5 2055.5	4238 4283 4367	6355 6463.5 6523	8590 8606 8642	12691 12912 12993	17064.8 17088.8 17218.4	22413 22467
Gulf of Mexico.....	153.0	416 420 434 438 478 484 500	2042 2048 2049.5 2052.5 2055.5 2063	4256 4274 4310 4322	6369 6435.5 6446 6495	8473 8550 8570 8666	12704.5 12826.5 12840 13038 13051.5 13078.5	16918.8 17117.6 17170.4 17172.4 17208.8 17256.8	22431 22467 22569
Great Lakes.....		482 500		4316	6474	8534			
Hawaii.....		454 500	2052.5	4295	6407.5	8542	13029	16978.4	22509
Puerto Rico.....	153.0	488 500 512	2052.5	4244		8726	13119		

<sup>1</sup> [Reserved].

<sup>2</sup> Calling and distress frequency.

<sup>3</sup> Supplementary calling frequency when 500 kc/s is being used for distress communication.

<sup>4</sup> Present frequency 4367 kc/s; replacement frequency 4238 kc/s; see 14.

<sup>5</sup> Present frequency 6519.5 kc/s; replacement frequency 6351.5 kc/s; see 14.

<sup>6</sup> Present frequency 17271.2 kc/s; replacement frequency 16933.2 kc/s; see 14.

<sup>7</sup> Present frequency 17256.8 kc/s; replacement frequency 16918.8 kc/s; see 14.

<sup>8</sup> Present frequency 13114.5 kc/s; replacement frequency 6348 kc/s; see 14.

<sup>9</sup> Present frequency 6523 kc/s; replacement frequency 12695.5 kc/s; see 14.

<sup>10</sup> Present frequency 13110 kc/s; replacement frequency 6355 kc/s; see 14.

<sup>11</sup> Present frequency 8742 kc/s; replacement frequency 8473 kc/s; see 14.

<sup>12</sup> Present frequency 13123.5 kc/s; replacement frequency 12704.5 kc/s; see 14.

<sup>13</sup> The replacement frequency is available on Feb. 2, 1970; the present frequency is discontinued on February 28, 1970; the shift to the replacement frequency shall be made during the period Feb. 2, 1970 to Feb. 28, 1970.

6. In § 81.207, add a new subparagraph (4) to paragraph (a) to read as follows:

### § 81.207 Frequencies for call and reply.

(a) \* \* \*

(4) When the frequency 500 kc/s is being used for distress, the coast station

shall normally reply on its working frequency to a ship station call made on the supplementary calling frequency 512 kc/s,<sup>1</sup> however, when requested to do so

<sup>1</sup> Available for assignment to ship and coast stations on Apr. 1, 1969.

3. In § 83.133, the headnote and the table in paragraph (a) are amended to read as follows:

**§ 83.133 Authorized bandwidth.**

(a) \* \* \*

Class of emission	Emission designator	Authorized bandwidth (kc/s)
A1	0.16A1	0.3
A2	2.66A2	2.8
A3	6A3	8.0
A3A	2.8A3A	3.5
A3B	5.6A3B	7.0
A3H	2.8A3H	3.5
A3J	2.8A3J	3.5
F1	0.3F1	10.5
F3	16F3	20.0
F3	36F3	40.0
PO	(c)	(c)

<sup>1</sup> Narrow-band Direct-printing Telegraph and Data Transmission Systems.

<sup>2</sup> Applicable when maximum authorized frequency deviation is 5 kc/s. See paragraph (c) of this section.

<sup>3</sup> Applicable when maximum authorized frequency deviation is 15 kc/s. See paragraph (c) of this section.

<sup>4</sup> Variable.

4. Add a new § 83.143, to read as follows:

**§ 83.143 Narrow-band direct-printing radiotelegraph equipment.**

Radiotelegraph equipment operating on frequencies in the band 4–23 Mc/s allotted for narrow-band direct-printing radiotelegraph and data transmission systems shall fulfill the following conditions:

(a) Be capable of transmission and reception of signals conforming to the International Alphabet Code No. 2 at a modulation rate of 50 bauds;

(b) The modulation rate over the radio path shall not exceed 100 bauds; and

(c) Class F1 emission shall be used, with a total frequency shift of 170 cycles per second.

**§ 83.222 [Deleted]**

5. Section 83.222 is deleted.

6. In Subpart N, §§ 83.315 through 83.320 are added to read as follows:

**§ 83.315 Authorized frequencies.**

(a) The tables in §§ 83.316, 83.317, 83.318, 83.319, 83.320, and 83.321, indicate the carrier frequencies, except for § 83.320 which indicates assigned frequencies, which when authorized by station license, may be used by ship stations employing radiotelegraphy for communication with ship or coast stations (public or limited). The assigned frequencies of § 83.320 are midway between the minimum and maximum values of instantaneous frequency.

(b) Frequencies in the bands between 2 and 23 Mc/s assigned in accordance with this section to a station on a particular vessel, may be retained at the option of the applicant despite subsequent relicensing of the station to a different licensee.

(c) Frequencies available for assignment in the bands between 2 and 23 Mc/s are designated in the ship radiotelegraph frequency plan appearing in Table 2 of § 83.321. Table 2 of § 83.321 provides appropriate cross-reference, by symbol, to the applicable table and, in turn, to a specific series of frequencies:

(1) Table 1a, § 83.317—High traffic ship radiotelegraph working frequencies.

(2) Table 1b, § 83.318—Ship radiotelegraph calling frequencies.

(3) Table 1c, § 83.319—Low traffic ship radiotelegraph working frequencies.

(4) Table 1d, § 83.320—Ship radiotelegraph working frequencies—narrow-band direct-printing telegraph and data transmission systems.

(d) The frequencies 4186.5, 6279.75, 8373, 12559.5, 16746, and 22262.5 kc/s are special ship station calling frequencies and shall be used only for calling those coast stations which maintain, during their hours of service, a continuous watch on these frequencies. These special calling frequencies may be used by ship stations which have been authorized use of frequencies in accordance with § 83.318.

**§ 83.316 Frequencies in the bands 90–160 kc/s and 405–535 kc/s available to ship stations for radiotelegraphy.**

(a) 90–160 kc/s:

kc/s	kc/s
152	156
153	157
154	158
155	

(b) 405–535 kc/s:

kc/s	kc/s
<sup>1</sup> 410	468
425	480
<sup>1</sup> 444	500 Calling
<sup>1</sup> 448	and distress
454	<sup>1</sup> 512

<sup>1</sup> Subject to the special conditions and limitations set forth in paragraph (c) of this section.

(c) (1) Except for distress communication, the frequency 444 kc/s is for communication with U.S. Government stations only. Its use is subject to the condition that harmful interference is not caused to the service of any coast station.

(2) The frequency 410 kc/s may be used for radiodetermination and for communication by radiotelegraph with direction finding stations concerning radiodetermination.

(3) The frequency 512 kc/s may be used by ship stations:

(i) As a supplementary calling frequency when 500 kc/s is being used for distress purposes;

(ii) As a working frequency, except in those areas where it is in use as a supplementary calling frequency when 500 kc/s is being used for distress purposes.

(4) The frequency 512 kc/s will replace 448 kc/s. 512 kc/s is available on March 7, 1969. 448 kc/s will not be available after July 1, 1970.

**§ 83.317 High traffic ship radiotelegraph working frequencies.**

(a) High traffic ship radiotelegraph working frequencies in the bands between 4 and 23 Mc/s are set forth in Table 1a. Application may be made for two high traffic ship working frequency column symbols from the "H" series, which includes one or more frequencies in each of the 4, 6, 8, 12, 16, and 22 Mc/s bands. If more than two symbols of the "H" series are allocated for a particular licensee, the frequency symbols should be applied for in rotation for successive vessels as for calling frequencies (see § 83.318), except that the first symbol for each vessel must be the one after the last of the series of two or more symbols of the previous vessel.

TABLE 1A—HIGH TRAFFIC SHIP RADIOTELEGRAPH WORKING FREQUENCIES (KC/s)

Sym- bol	Mc/s		6 Mc/s		8 Mc/s		12 Mc/s		16 Mc/s		22 Mc/s	
	Available—		Available—		Available—		Available—		Available—		Available—	
	Until 6-30-69	After 3-7-69	Until 6-30-69	After 3-7-69	Until 6-30-69	After 3-7-69	Until 6-30-69	After 3-7-69	Until 6-30-69	After 3-7-69	Until 6-30-69	After 3-7-69
H1.....	4161	4172.5	6241.5	6258.75	8322	8342 8343 8344 8345	12474 12478.5 12483	12505.5 12513 12514.5 12516 12517.5	16626 16632 16638 16644	16662 16674 16684 16686 16688 16690 16692	22151 22157	22189 22215
H2.....	4162.5	4173.5	6243.75	6260.25	8325	8342 8343 8344 8347	12474 12478.5 12487.5	12505.5 12513 12514.5 12516 12520.5	16626 16632 16638 16650	16662 16674 16684 16686 16688 16694 16696 16698	22151 22163	22191 22219
H3.....	4164	4174	6246	6261	8328	8342 8343 8344 8348	12474 12478.5 12492	12511.5 12513 12514.5 12516 12522	16626 16632 16638 16656	16662 16674 16684 16686 16688 16696 16698 16700	22151 22169	22195 22219
H4.....	4165.5	4175	6248.25	6262.5	8311	8342 8343 8344 8360	12474 12478.5 12496.5	12504 12513 12514.5 12516 12525	16626 16632 16638 16662	16662 16674 16684 16686 16688 16700 16702 16704	22151 22175	22197 22209
H5.....	4167	4175.5	6250.5	6263.25	8334	8342 8343 8344 8351	12474 12478.5 12501	12507 12513 12514.5 12516 12526.5	16626 16632 16638 16668	16662 16674 16684 16686 16688 16702 16704 16706	22151 22181	22201 22213
H6.....	4168.5	4176.5	6252.75	6264.75	8337	8342 8343 8344 8353	12474 12478.5 12505.5	12505.5 12513 12514.5 12516 12529.5	16626 16632 16638 16674	16662 16674 16684 16686 16688 16706 16708 16710	22151 22187	22215 22187
H7.....	4170	4177	6255	6265.5	8340	8342 8343 8344 8354	12474 12478.5 12510	12510 12513 12514.5 12516 12531	16626 16632 16638 16680	16662 16674 16684 16686 16688 16708 16710 16712	22151 22193	22207 22193
H8.....	4171.5	4177.5	6257.25	6266.25	8343	8342 8343 8344 8355	12474 12478.5 12514.5	12511.5 12513 12514.5 12516 12532.5	16626 16632 16638 16686	16662 16674 16684 16686 16688 16710 16712 16714	22151 22199	22213 22199
H9.....	4173	4173	6259.5	6259.5	8346	8342 8343 8344 8346	12474 12478.5 12519	12504 12513 12514.5 12516 12519	16626 16632 16638 16692	16662 16674 16684 16686 16688 16692 16694 16696	22151 22205	22221 22205
H10.....	4174.5	4174.5	6261.75	6261.75	8349	8342 8343 8344 8349	12474 12478.5 12523.5	12507 12513 12514.5 12516 12523.5	16626 16632 16638 16698	16662 16674 16684 16686 16688 16692 16694 16696	22151 22211	22221 22211
H11.....	4176	4176	6264	6264	8352	8342 8343 8344 8352	12474 12478.5 12528	12508.5 12513 12514.5 12516 12528	16626 16632 16638 16704	16662 16674 16684 16686 16688 16692 16694 16696	22151 22217	22203 22217

§ 83.318 Ship radiotelegraph calling frequencies.

(a) Ship radiotelegraph calling frequencies in the bands between 2 and 23 Mc/s are set forth in Table 1b. Application may be made for one calling frequency column symbol from the "C" series, which includes one frequency in each of the 4, 6, 8, 12, 16, and 22 Mc/s bands. One 2 Mc/s calling frequency is

also included in frequency column symbols "C2B" through "C7B". If more than one symbol of the "C" series is allocated for a particular licensee, the general principle to follow is to apply for the first vessel under the first symbol, the second symbol for the second vessel, etc., until the allocated symbols are exhausted. The procedure is then repeated, beginning again with the first symbol.



## RULES AND REGULATIONS

TABLE 1B—SHIP RADIOTELEGRAPH CALLING FREQUENCIES (KC/S)

Symbol	2 Mc/s		4 Mc/s		6 Mc/s		8 Mc/s		12 Mc/s		16 Mc/s		22 Mc/s	
	Available—		Available—		Available—		Available—		Available—		Available—		Available—	
	Until	After	Until	After	Until	After	Until	After	Until	After	Until	After	Until	After
	7-1-69	7-1-69	7-1-70	7-1-69	7-1-70	7-1-69	7-1-70	7-1-69	7-1-70	7-1-69	7-1-70	7-1-69	7-1-70	7-1-69
C1	2089		4178	4178.5	6267	6267.75	8356	8357	12534	12535.5	16712	16714	22225	22225
C2A	2089.5		4179	4179.5	6268.5	6268.5	8358	8358	12537	12537	16716	16716	22230	22230
B		2089.75				6269.25		8359		12538.5		16718		22227.5
C3A	2090	2090	4180	4180.5	6270	6270.75	8360	8360	12540	12540	16720	16720	22235	22235
B		2090.25				6271.5		8361		12541.5		16722		22232.5
C4A	2090.5	2090.5	4181	4181.5	6271.5	6271.5	8362	8362	12543	12543	16724	16724	22240	22240
B		2090.75				6272.25		8363		12544.5		16726		22237.5
C5A	2091	2091	4182	4182.5	6273	6273.75	8364	8364	12546	12546	16728	16728	22245	22245
B		2091.25				6274.5		8365		12547.5		16730		22242.5
C6A	2091.5	2091.5	4183	4183.5	6274.5	6274.5	8366	8366	12549	12549	16732	16732	22250	22250
B		2091.75				6275.25		8367		12550.5		16734		22247.5
C7A	2092	2092	4184	4184.5	6276	6276.75	8368	8368	12552	12552	16736	16736	22255	22255
B		2092.25				6277.5		8369		12553.5		16738		22252.5
C8A	2092.5	2092.5	4185	4185.5	6277.5	6277.5	8370	8370	12555	12555	16740	16740	22260	22260
B		2092.75				6278.25		8371		12556.5		16742		22257.5
C9	2093		4186	4186.5	6279	6279.75	8372	8372	12558	12558	16744	16744	22265	22265
C8								8373		12559.5		16746		22262.5

<sup>1</sup> May be used by ship stations only to establish communications relating to the safety of life.

### § 83.319 Low traffic ship radiotelegraph working frequencies.

(a) Low traffic ship radiotelegraph working frequencies are set forth in Table 1c. Application may be made for one low traffic working frequency column symbol from the "L" series, which in-

cludes two frequencies from the 4, 6, 8, 12, 16, and 22 Mc/s bands. A primary frequency to be used for working in each frequency band having two frequencies available must be indicated by suffixing the frequency column symbol with the letter "A" for the lower frequency in each band and the letter "B" for the higher

frequency in each band. If more than one symbol of the "L" series is allocated for a particular licensee, the frequency column symbols, to include the suffix "A" or "B", should be applied for in rotation for successive vessels as for calling frequencies (see § 83.318), otherwise either "A" or "B" may be applied for.

(b) TABLE 1C—LOW TRAFFIC SHIP WORKING FREQUENCIES<sup>1</sup> (KC/S)

Symbol	4 Mc/s				6 Mc/s				8 Mc/s			
	Group "A"		Group "B"		Group "A"		Group "B"		Group "A"		Group "B"	
	Available—		Available—		Available—		Available—		Available—		Available—	
	Until	After	Until	After	Until	After	Until	After	Until	After	Until	After
	2-1-70	3-7-69	2-1-70	3-7-69	2-1-70	3-7-69	2-1-70	3-7-69	2-1-70	3-7-69	2-1-70	3-7-69
L1	4188	4188	4212.5	4212.5	6282	6282	8318.75	8318.75	8376	8376	8425	8425
L2	4188.5	4188.5	4213	4213	6282.75	6282.75	8319.5	8319.5	8377	8377	8426	8426
L3	4189	4189	4213.5	4213.5	6283.5	6283.5	8320.25	8320.25	8378	8378	8427	8427
L4	4189.5	4189.5	4214	4214	6284.25	6284.25	8321	8321	8379	8379	8428	8428
L5	4190	4190	4214.5	4214.5	6285	6285	8321.75	8321.75	8380	8380	8429	8429
L6	4190.5	4190.5	4215	4215	6285.75	6285.75	8322.5	8322.5	8381	8381	8430	8430
L7	4191	4191	4215.5	4215.5	6286.5	6286.5	8323.25	8323.25	8382	8382	8431	8431
L8	4191.5	4191.5	4216	4216	6287.25	6287.25	8324	8324	8383	8383	8432	8432
L9	4192	4192	4216.5	4216.5	6288	6288	8324.75	8324.75	8384	8384	8433	8433
L10	4192.5	4192.5	4217	4217	6288.75	6288.75	8325.5	8325.5	8385	8385	8434	8434
L11	4193	4193	4217.5	4217.5	6289.5	6289.5	8326.25	8326.25	8386	8386	8435	8435
L12	4193.5	4193.5	4218	4218	6290.25	6290.25	8327	8327	8387	8387	8436	8436
L13	4194	4194	4218.5	4218.5	6291	6291	8327.75	8327.75	8388	8388	8437	8437
L14	4194.5	4194.5	4219	4219	6291.75	6291.75	8328.5	8328.5	8389	8389	8438	8438
L15	4195	4195	4219.5	4219.5	6292.5	6292.5	8329.25	8329.25	8390	8390	8439	8439
L16	4195.5	4195.5	4220	4220	6293.25	6293.25	8330	8330	8391	8391	8440	8440
L17	4196	4196	4220.5	4220.5	6294	6294	8330.75	8330.75	8392	8392	8441	8441
L18	4196.5	4196.5	4221	4221	6294.75	6294.75	8331.5	8331.5	8393	8393	8442	8442
L19	4197	4197	4221.5	4221.5	6295.5	6295.5	8332.25	8332.25	8394	8394	8443	8443
L20	4197.5	4197.5	4222	4222	6296.25	6296.25	8333	8333	8395	8395	8444	8444
L21	4198	4198	4222.5	4222.5	6297	6297	8333.75	8333.75	8396	8396	8445	8445
L22	4198.5	4198.5	4223	4223	6297.75	6297.75	8334.5	8334.5	8397	8397	8446	8446
L23	4199	4199	4223.5	4223.5	6298.5	6298.5	8335.25	8335.25	8398	8398	8447	8447
L24	4199.5	4199.5	4224	4224	6299.25	6299.25	8336	8336	8399	8399	8448	8448
L25	4200	4200	4224.5	4224.5	6300	6300	8336.75	8336.75	8400	8400	8449	8449
L26	4200.5	4200.5	4225	4225	6300.75	6300.75	8337.5	8337.5	8401	8401	8450	8450
L27	4201	4201	4225.5	4225.5	6301.5	6301.5	8338.25	8338.25	8402	8402	8451	8451
L28	4201.5	4201.5	4226	4226	6302.25	6302.25	8339	8339	8403	8403	8452	8452
L29	4202	4202	4226.5	4226.5	6303	6303	8339.75	8339.75	8404	8404	8453	8453
L30	4202.5	4202.5	4227	4227	6303.75	6303.75	8340.5	8340.5	8405	8405	8454	8454
L31	4203	4203	4227.5	4227.5	6304.5	6304.5	8341.25	8341.25	8406	8406	8455	8455
L32	4203.5	4203.5	4228	4228	6305.25	6305.25	8342	8342	8407	8407	8456	8456
L33	4204	4204	4228.5	4228.5	6306	6306	8342.75	8342.75	8408	8408	8457	8457
L34	4204.5	4204.5	4229	4229	6306.75	6306.75	8343.5	8343.5	8409	8409	8458	8458
L35	4205	4205	4229.5	4229.5	6307.5	6307.5	8344.25	8344.25	8410	8410	8459	8459
L36	4205.5	4205.5	4230	4230	6308.25	6308.25	8345	8345	8411	8411	8460	8460
L37	4206	4206	4230.5	4230.5	6309	6309	8345.75	8345.75	8412	8412	8461	8461
L38	4206.5	4206.5	4231	4231	6309.75	6309.75	8346.5	8346.5	8413	8413	8462	8462
L39	4207	4207	4231.5	4231.5	6310.5	6310.5	8347.25	8347.25	8414	8414	8463	8463
L40	4207.5	4207.5	4232	4232	6311.25	6311.25	8348	8348	8415	8415	8464	8464
L41	4208	4208	4232.5	4232.5	6312	6312	8348.75	8348.75	8416	8416	8465	8465
L42	4208.5	4208.5	4233	4233	6312.75	6312.75	8349.5	8349.5	8417	8417	8466	8466
L43	4209	4209	4233.5	4233.5	6313.5	6313.5	8350.25	8350.25	8418	8418	8467	8467
L44	4209.5	4209.5	4234	4234	6314.25	6314.25	8351	8351	8419	8419	8468	8468
L45	4210	4210	4234.5	4234.5	6315	6315	8351.75	8351.75	8420	8420	8469	8469
L46	4210.5	4210.5	4235	4235	6315.75	6315.75	8352.5	8352.5	8421	8421	8470	8470
L47	4211	4211	4235.5	4235.5	6316.5	6316.5	8353.25	8353.25	8422	8422	8471	8471
L48	4211.5	4211.5	4236	4236	6317.25	6317.25	8354	8354	8423	8423	8472	8472
L49	4212	4212	4236.5	4236.5	6318	6318	8354.75	8354.75	8424	8424	8473	8473

See footnotes at end of table.



one frequency in the 4 Mc/s band each band and the letter "B" for the higher frequency in each band. If more than one symbol of the "N" series is allocated for a particular licensee, the frequency symbols, to include the suffix "A" or "B", should be applied for in rotation for successive vessels as for calling the frequencies (see § 83.318), otherwise the frequency column symbol with the letter "A" for the lower frequency in either "A" or "B" may be applied for.

TABLE 1D—SHIP RADIO TELEGRAPH WORKING FREQUENCIES—NARROW-BAND DIRECT-PRINTING TELEGRAPH AND DATA TRANSMISSION SYSTEMS

Symbol	4 Mc/s				6 Mc/s				8 Mc/s				10 Mc/s				12 Mc/s				22 Mc/s			
	Available after 7-1-69	Available after 7-1-69	Available after 7-1-69	Available after 7-1-69	Available after 7-1-69	Available after 7-1-69	Available after 7-1-69	Available after 7-1-69	Available after 7-1-69	Available after 7-1-69	Available after 7-1-69	Available after 7-1-69	Available after 7-1-69	Available after 7-1-69	Available after 7-1-69	Available after 7-1-69	Available after 7-1-69	Available after 7-1-69	Available after 7-1-69	Available after 7-1-69	Available after 7-1-69	Available after 7-1-69	Available after 7-1-69	Available after 7-1-69
N1A	4100.5	4100.5	4100.5	4100.5	6248.5	6248.5	6248.5	6248.5	8332	8332	8332	8332	12484	12484	12484	12484	12484	12484	12484	12484	12484	12484	12484	12484
N1B	4107.5	4107.5	4107.5	4107.5	6249.5	6249.5	6249.5	6249.5	8337	8337	8337	8337	12485	12485	12485	12485	12485	12485	12485	12485	12485	12485	12485	12485
N2A	4107.5	4107.5	4107.5	4107.5	6250.5	6250.5	6250.5	6250.5	8337.5	8337.5	8337.5	8337.5	12486	12486	12486	12486	12486	12486	12486	12486	12486	12486	12486	12486
N3A	4107.5	4107.5	4107.5	4107.5	6251.5	6251.5	6251.5	6251.5	8338	8338	8338	8338	12487	12487	12487	12487	12487	12487	12487	12487	12487	12487	12487	12487
N4A	4108	4108	4108	4108	6252.5	6252.5	6252.5	6252.5	8338.5	8338.5	8338.5	8338.5	12488	12488	12488	12488	12488	12488	12488	12488	12488	12488	12488	12488
N5A	4108.5	4108.5	4108.5	4108.5	6253.5	6253.5	6253.5	6253.5	8339	8339	8339	8339	12489	12489	12489	12489	12489	12489	12489	12489	12489	12489	12489	12489
N6A	4109	4109	4109	4109	6254.5	6254.5	6254.5	6254.5	8339.5	8339.5	8339.5	8339.5	12490	12490	12490	12490	12490	12490	12490	12490	12490	12490	12490	12490
N7A	4109.5	4109.5	4109.5	4109.5	6255.5	6255.5	6255.5	6255.5	8340	8340	8340	8340	12491	12491	12491	12491	12491	12491	12491	12491	12491	12491	12491	12491
N8A	4109.5	4109.5	4109.5	4109.5	6256.5	6256.5	6256.5	6256.5	8340.5	8340.5	8340.5	8340.5	12492	12492	12492	12492	12492	12492	12492	12492	12492	12492	12492	12492
N9A	4170	4170	4170	4170	6257	6257	6257	6257	8341	8341	8341	8341	12493	12493	12493	12493	12493	12493	12493	12493	12493	12493	12493	12493
N10A	4171	4171	4171	4171	6258	6258	6258	6258	8341.5	8341.5	8341.5	8341.5	12494	12494	12494	12494	12494	12494	12494	12494	12494	12494	12494	12494

<sup>1</sup> In addition, 4171.5 and 4172 k/s are available after July 1, 1969, for use when frequency column symbols N1 through N10 are assigned.

7. Section 83.321 is revised to read as follows:

§ 83.321 Ship radiotelegraph frequency plan.

(a) The ship radiotelegraph frequency plan for the bands between 2 and 23 Mc/s is set forth in Table 2. Applicants other than the companies listed in Table 2 must apply for the frequency column symbols shown, in alphabetic order according to the first letter of their name. As an example, if the applicant's name begins with A, B, or C, he may apply only for frequency column symbols C1, C5, or C8, H2, and H11 for a high traffic ship, or C1, C5, or C8 and L22 for a low traffic ship. For this purpose, the alphabetic group of first letters of the name will be selected by using the first word of a trade name omitting "The"; the last name of a personal name; or the last name of the first person appearing in a series of personal names. As examples, the following names would all apply for the third, or "M" group: Marine Communications, Inc.; A. B. Miller and Co.; C. D. Muncey; E. F. Murphy, Alfred Abrams, et al.

(b) TABLE 1C—LOW TRAFFIC SHIP WORKING FREQUENCIES<sup>1</sup> (Mc/s)—Continued

Symbol	12 Mc/s				10 Mc/s				22 Mc/s			
	Available—	Until	After	Available—	Available—	Until	After	Available—	Available—	Until	After	Available—
L1	12604	12604.5	12605	12605	10752	10752.5	10753	10753	22335	22335.5	22336	22336
L2	12605	12605.5	12606	12606	10754	10754.5	10755	10755	22336	22336.5	22337	22337
L3	12606	12606.5	12607	12607	10756	10756.5	10757	10757	22337	22337.5	22338	22338
L4	12607	12607.5	12608	12608	10758	10758.5	10759	10759	22338	22338.5	22339	22339
L5	12608	12608.5	12609	12609	10760	10760.5	10761	10761	22339	22339.5	22340	22340
L6	12609	12609.5	12610	12610	10762	10762.5	10763	10763	22340	22340.5	22341	22341
L7	12610	12610.5	12611	12611	10764	10764.5	10765	10765	22341	22341.5	22342	22342
L8	12611	12611.5	12612	12612	10766	10766.5	10767	10767	22342	22342.5	22343	22343
L9	12612	12612.5	12613	12613	10768	10768.5	10769	10769	22343	22343.5	22344	22344
L10	12613	12613.5	12614	12614	10770	10770.5	10771	10771	22344	22344.5	22345	22345
L11	12614	12614.5	12615	12615	10772	10772.5	10773	10773	22345	22345.5	22346	22346
L12	12615	12615.5	12616	12616	10774	10774.5	10775	10775	22346	22346.5	22347	22347
L13	12616	12616.5	12617	12617	10776	10776.5	10777	10777	22347	22347.5	22348	22348
L14	12617	12617.5	12618	12618	10778	10778.5	10779	10779	22348	22348.5	22349	22349
L15	12618	12618.5	12619	12619	10780	10780.5	10781	10781	22349	22349.5	22350	22350
L16	12619	12619.5	12620	12620	10782	10782.5	10783	10783	22350	22350.5	22351	22351
L17	12620	12620.5	12621	12621	10784	10784.5	10785	10785	22351	22351.5	22352	22352
L18	12621	12621.5	12622	12622	10786	10786.5	10787	10787	22352	22352.5	22353	22353
L19	12622	12622.5	12623	12623	10788	10788.5	10789	10789	22353	22353.5	22354	22354
L20	12623	12623.5	12624	12624	10790	10790.5	10791	10791	22354	22354.5	22355	22355
L21	12624	12624.5	12625	12625	10792	10792.5	10793	10793	22355	22355.5	22356	22356
L22	12625	12625.5	12626	12626	10794	10794.5	10795	10795	22356	22356.5	22357	22357
L23	12626	12626.5	12627	12627	10796	10796.5	10797	10797	22357	22357.5	22358	22358
L24	12627	12627.5	12628	12628	10798	10798.5	10799	10799	22358	22358.5	22359	22359
L25	12628	12628.5	12629	12629	10800	10800.5	10801	10801	22359	22359.5	22360	22360
L26	12629	12629.5	12630	12630	10802	10802.5	10803	10803	22360	22360.5	22361	22361
L27	12630	12630.5	12631	12631	10804	10804.5	10805	10805	22361	22361.5	22362	22362
L28	12631	12631.5	12632	12632	10806	10806.5	10807	10807	22362	22362.5	22363	22363
L29	12632	12632.5	12633	12633	10808	10808.5	10809	10809	22363	22363.5	22364	22364
L30	12633	12633.5	12634	12634	10810	10810.5	10811	10811	22364	22364.5	22365	22365
L31	12634	12634.5	12635	12635	10812	10812.5	10813	10813	22365	22365.5	22366	22366
L32	12635	12635.5	12636	12636	10814	10814.5	10815	10815	22366	22366.5	22367	22367
L33	12636	12636.5	12637	12637	10816	10816.5	10817	10817	22367	22367.5	22368	22368
L34	12637	12637.5	12638	12638	10818	10818.5	10819	10819	22368	22368.5	22369	22369
L35	12638	12638.5	12639	12639	10820	10820.5	10821	10821	22369	22369.5	22370	22370
L36	12639	12639.5	12640	12640	10822	10822.5	10823	10823	22370	22370.5	22371	22371
L37	12640	12640.5	12641	12641	10824	10824.5	10825	10825	22371	22371.5	22372	22372
L38	12641	12641.5	12642	12642	10826	10826.5	10827	10827	22372	22372.5	22373	22373
L39	12642	12642.5	12643	12643	10828	10828.5	10829	10829	22373	22373.5	22374	22374
L40	12643	12643.5	12644	12644	10830	10830.5	10831	10831	22374	22374.5	22375	22375
L41	12644	12644.5	12645	12645	10832	10832.5	10833	10833	22375	22375.5	22376	22376
L42	12645	12645.5	12646	12646	10834	10834.5	10835	10835	22376	22376.5	22377	22377
L43	12646	12646.5	12647	12647	10836	10836.5	10837	10837	22377	22377.5	22378	22378
L44	12647	12647.5	12648	12648	10838	10838.5	10839	10839	22378	22378.5	22379	22379
L45	12648	12648.5	12649	12649	10840	10840.5	10841	10841	22379	22379.5	22380	22380
L46	12649	12649.5	12650	12650	10842	10842.5	10843	10843	22380	22380.5	22381	22381
L47	12650	12650.5	12651	12651	10844	10844.5	10845	10845	22381	22381.5	22382	22382
L48	12651	12651.5	12652	12652	10846	10846.5	10847	10847	22382	22382.5	22383	22383
L49	12652	12652.5	12653	12653	10848	10848.5	10849	10849	22383	22383.5	22384	22384

<sup>1</sup> The frequency symbols are suffixed by the letters "A" or "B" to indicate the primary working frequency in each band. (See §§ 83.324(c) and 83.310(a).)

§ 83.320 Ship radiotelegraph working frequencies—narrow-band direct-printing telegraph and data transmission systems.

(a) Ship radiotelegraph working frequencies—narrow-band direct-printing telegraph and data transmission systems from the "N" series, which includes

TABLE 2—SHIP RADIOTELEGRAPH FREQUENCY PLAN  
(For columns of frequencies designated by these symbols, see § 83.315)

	Calling frequency column symbols	High traffic ship working frequency column symbols	Low traffic ship working frequency column symbols	Narrow-band direct-printing working frequency column symbols
RCA Communications, Inc.	C3, C5, C7, C9.	H1, H3, H5, H7, H9.	L1, L3, L5, L7, L9, L11, L13, L15, L17, L19, L21, L23, L25, L27, L29, L31, L33, L35, L37, L39, L41, L43, L45, L47.	N1, N3, N5, N7.
ITT World Communications, Inc.	C2, C4, C5, C6.	H4, H6, H8, H10.	L2, L6, L8, L10, L14, L16, L18, L20, L24, L28, L32, L34, L36, L40, L42, L48, L49.	N4, N6, N8.
Tropical Radio Telegraph Co.	C1, C5, C8.	H2, H11.	L4.	N2, N9.
Matson Navigation Co.	do.	do.	L12.	N10.
Other applicants:				
A-C	do.	do.	L22.	Do.
D-L	do.	do.	L26.	Do.
M	do.	do.	L30.	Do.
N-R	do.	do.	L38.	Do.
S	do.	do.	L44.	Do.
T-Z	do.	do.	L46.	Do.

8. In § 83.322, paragraph (a) is amended to read as follows:

**§ 83.322 Frequencies for use in distress.**

(a) The international distress frequency is 500 kc/s; it is used as an assigned frequency for this purpose by ship, survival craft, or aircraft stations using frequencies in the band 405-535 kc/s, when requesting assistance from the maritime services. It is used, preferably with A2 emission, for the distress call, distress traffic and for the transmission of urgent and safety messages.

9. In § 83.323, subparagraph (3) of paragraph (a) is amended; existing paragraphs (b) and (d) are deleted; a new paragraph (b) is added; and paragraph (c) is amended, to read as follows:

**§ 83.323 Frequencies for call and reply.**

(a) \* \* \*

(3) In order to facilitate the reception of distress calls, all transmissions on 500 kc/s shall be reduced to a minimum. Preparatory operating signals or brief communications concerning the operation of the station may be included on 500 kc/s provided the overall duration of the transmission is not longer than 10 seconds. Transmissions of longer duration shall be made on the working frequency.

(b) In Region 3, the band 2089.5-2092.5 kc/s is the calling and safety band for the maritime mobile service of radiotelegraphy in those parts of the bands between 1605 and 2085 kc/s in which radiotelegraphy is authorized. Frequen-

cies in the band 2089.5-2092.5 kc/s may be used for calls, replies, and safety. These frequencies may also be used for messages preceded by the urgency or safety signals.

(c) In Region 2, the frequency 2091 kc/s is the international calling frequency for ship stations using telegraphy within the band 2089.5-2092.5 kc/s. It shall be used for call, reply and signals preparatory to traffic by all ship stations using telegraphy to establish communication with other ship stations operating in the band 2089.5-2092.5 kc/s or with coast stations using telegraphy and operating in the band 2035-2065 kc/s: *Provided*, That transmission by ship stations for this purpose on any calling frequency within the band 2089.5-2092.5 kc/s is permissible as a practical operating procedure to minimize interference in lieu of transmission on the frequency 2091 kc/s. A ship station, after establishing communication on a calling frequency, except safety and distress, shall change to an authorized working frequency in the bands between 4 and 23 Mc/s for the transmission of traffic.

10. In § 83.324, paragraphs (a), (b), (c), (g) (1), and (h) are amended to read as follows:

**§ 83.324 Frequencies for working.**

(a) Each assigned frequency listed in § 83.316(a), and which is not identified therein with a specific use or function, is authorized as an assigned frequency for "working".

(b) Ship and aircraft stations using telegraphy and working on frequencies within the band 415 to 525 kc/s shall use whenever practicable, an authorized

working frequency of which 425, 448,<sup>1</sup> 454, 468, 480, or 512<sup>1</sup> kc/s is the assigned frequency.

(c) Except as provided in §§ 83.316, 83.322, 83.323, and 83.401, use of 500 kc/s for working is prohibited.

(g) (1) In addition to use of the frequency assignment designated for telegraphy in the license of a ship station, such station when communicating by telegraphy with a mobile or land station of the U.S. Government may transmit on a Government frequency assignment when authorized or directed to do so by the Government station responsible or by the Government department or agency for which use of such frequency assignment is authorized; on condition that the emission-bandwidth and frequency tolerance of the ship station shall be within the respective limits thereof required to be maintained by the Government station. Under these circumstances, the ship station assigned frequency, the class of emission, and the permissible class of traffic shall be designated and controlled by the responsible Government station, department, or agency.

(h) The frequencies 2072.5 kc/s<sup>2</sup> and 2077.5 kc/s<sup>2</sup> are authorized for wide-band telegraphy, facsimile, and special transmission systems when designated in the ship station license.

11. In § 83.328, a new paragraph (d) is added to read as follows:

**§ 83.328 Radiotelegraph operating procedure.**

(d) Operation on frequencies set forth in § 83.315(e) shall, in addition to other applicable provisions, conform to the special calling procedure set forth in Article 29 of the ITU Radio Regulations, as amended by Geneva, 1967.

12. In § 83.552, the table in paragraph (b) is amended to read as follows:

**§ 83.552 Requirements for main transmitter.**

(b) \* \* \*

<sup>1</sup> The frequency 512 kc/s will replace 448 kc/s. 512 kc/s will become available on Apr. 1, 1969. The frequency 448 kc/s will not be available after July 1, 1970.

<sup>2</sup> The frequencies 2072.5 and 2077.5 kc/s shall be replaced, during the period Nov. 1, 1969 to Dec. 31, 1969, by the frequencies 2071 and 2076 kc/s. The frequencies 2072.5 and 2077.5 kc/s will not be available for assignment or use after Dec. 31, 1969.

Operating carrier frequency	Frequency tolerance (parts in 10 <sup>6</sup> )	Class of emission	Percentage modulation (for amplitude modulation)	Modulation frequency for amplitude modulation	Antenna power
500 kc/s.....	1,000.....	A2 or A2H	Not less than 70; not more than 100.	At least 1 frequency between 300 and 1250 cycles per second; except for transmitters installed after July 1, 1951, at least 1 frequency between 450 and 1250 cycles per second.	Not less than 200 watts into an average ship station antenna.
Do.....	1,000.....	A1			Not less than 160 watts into an average ship station antenna.
410 kc/s and 2 authorized working frequencies in the band 415 to 525 kc/s.	1,000.....	A2 or A2H	Not less than 70; not more than 100.	At least 1 frequency between 300 and 1250 cycles per second; except for transmitters installed after July 1, 1951, at least 1 frequency between 450 and 1250 cycles per second.	Not less than 200 watts into an average ship station antenna.
Do.....	1,000.....	A1			Not less than 160 watts into an average ship station antenna.

13. In § 83.553, the table in paragraph (b) is amended to read as follows:

**§ 83.553 Requirements for reserve transmitter.**

(b) \* \* \*

Operating carrier frequency	Frequency tolerance (parts in 10 <sup>6</sup> )	Class of emission	Percentage modulation (for amplitude modulation)	Modulation frequency (for amplitude modulation)	Antenna power
500 kc/s.....	1,000 except for reserve transmitters whose use is confined solely to safety communications as defined in § 83.6(a). Such transmitters shall maintain a frequency tolerance of 3,000 parts in 10 <sup>6</sup> .	A2 or A2H	Not less than 70; not more than 100.	At least 1 frequency between 300 and 1250 cycles per second; except for transmitters installed after July 1, 1951, at least 1 frequency between 450 and 1250 cycles per second.	Not less than 25 watts into an average ship station antenna.
410 kc/s and 1 authorized working frequency in the band 415 to 525 kc/s.	Do.....	A2 or A2H	Do.....	Do.....	Do.

**PART 930—PROGRAMS FOR SPECIFIC POSITIONS AND EXAMINATIONS (MISCELLANEOUS)**

**Subpart B—Appointment, Compensation, and Removal of Hearing Examiners**

**Appointment; Correction**

In F.R. Doc. 68-9288, appearing on page 11055 of the issue for August 3, 1968, and again in the revision of regulations (F.R. Doc. 68-10612) appearing on page 12521 of the issue for September 4, 1968, in the last sentence of paragraph (b) of § 930.203 the "and" between "§§ 731.201 and 731.303" should have been "through" making paragraph (b) read as follows:

**§ 930.203 Appointment.**

(b) *Prior approval.* An agency may make an appointment to a hearing examiner position only with the prior approval of the Commission, except when it makes its selection from a certificate of eligibles furnished by the Commission. An appointment is subject to investigation in accordance with §§ 731.201 through 731.303 of this chapter and subject to security clearance by the agency.

(5 U.S.C. 1305, 3105, 3344, 5362, 7521)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,  
Executive Assistant to  
the Commissioners.

[F.R. Doc. 69-1292; Filed, Jan. 30, 1969; 8:48 a.m.]

**Title 7—AGRICULTURE**

**Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture**

**SUBCHAPTER D—PROVISIONS COMMON TO MORE THAN ONE PROGRAM**

[Amdt. 5]

**PART 792—CONSERVING BASE AND DESIGNATED DIVERTED ACREAGE**

**Miscellaneous Amendments**

Sections 792.1 through 792.3 of the regulations governing conserving base and designated diverted acreage, 31 F.R. 5873, as amended, is further amended as follows:

1. Section 792.1 is amended to read as follows:

**§ 792.1 Applicability.**

This part is applicable to the following programs set forth in this Title 7:

- (a) Land Use Adjustment Programs (Part 751);
- (b) Feed Grain Diversion Programs (Part 775);

**Title 5—ADMINISTRATIVE PERSONNEL**

**Chapter I—Civil Service Commission  
PART 213—EXCEPTED SERVICE**

**Department of Justice**

Section 213.3310 is amended to show that one position of Special Assistant to the Administrator, and one position of Special Assistant to each of the two Associate Administrators, Law Enforcement Assistance Administration, are excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, subparagraphs (3) and (4) are added to paragraph (s) of § 213.3310 as set out below.

**§ 213.3310 Department of Justice.**

(s) *Law Enforcement Assistance Administration.* \* \* \*

(3) One Special Assistant to the Administrator.

(4) One Special Assistant to each of the two Associate Administrators.

(5 U.S.C. 3301, 3302, E.O. 10577, 19 F.R. 7521, 3 CFR 1954-58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,  
Executive Assistant to  
the Commissioners.

[F.R. Doc. 69-1291; Filed, Jan. 30, 1969; 8:47 a.m.]

(c) Wheat Stabilization Programs (Part 776);

(d) Wheat Diversion and Certificate Programs (Part 728);

(e) Upland Cotton Program (Part 722);

(f) Extra-Long Staple Cotton Program (Part 722); and

(g) All other programs to which this part is made applicable by individual program regulations.

2. In paragraph (b) of § 792.2, subparagraphs (1) and (4) are amended, subparagraphs (2), (3), and (5) are retained as written, subparagraph (6) is renumbered (7), and subparagraph (6) is added and in paragraph (c) subparagraph (7) is amended so that paragraphs (b) and (c) (7) will read as follows:

#### § 792.2 Farm conserving base.

(b) *Maintaining the conserving base.* The producer shall devote to conserving uses on the farm during the current year (or, in the case of the cropland adjustment program, each year of the agreement period) an acreage of cropland, in addition to the designated acreage and any acreage diverted under any other Federal agricultural diversion program, at least equal to the farm conserving base determined in accordance with paragraph (a) of this section. Subject to the provisions of paragraph (c) of this section, the following uses of cropland on the farm will qualify as eligible conserving uses for the purpose of maintaining the conserving base:

(1) The conserving uses set forth in paragraph (a) of this section, except that: (i) Soybeans may be approved only at the option of the State committee and must be incorporated into the soil by a date established by the State committee; (ii) small grain cover crops must be disposed of by an established disposition date: *Provided*, That oats or rye may be left standing providing (a) an oats-rye base has not been established for the farm, (b) an intention to leave oats or rye standing on the land is filed with the county committee in writing prior to the applicable disposition date, (c) the costs of necessary farm visits to maintain administrative control are paid, and (d) no harvesting occurs.

(2) Trees or shrubs planted for erosion control, shelterbelts, or other forestry purposes or for wildlife habitat during the current year (or, in the case of the cropland adjustment program, the year for which the determination is being made) or the fall of the preceding year. (Trees or vines in an orchard or vineyard are not a conserving use.)

(3) Water storage developed for any purpose, including fish or wildlife habitat during the current year (or, in the case of the cropland adjustment program, the year for which the determination is being made) or the fall of the preceding year.

(4) Plantings for wildlife food plots or wildlife habitat. Barley, corn, grain sorghums, oats, rye, soybeans, rice, and wheat will qualify if: (i) The area conforms to standards (maximum size, lo-

cation, etc.) which have been established by the State committee in consultation with State wildlife agencies, (ii) the area and crop are designated by the operator and approved by the county committee in writing before planting, and (iii) no grazing or harvesting other than wildlife is permitted.

(5) Corn or grain sorghums plowed down as green manure.

(6) An acreage of allotment or feed grain crops (including barley and oats-rye under the substitution provision) within the permitted acreage destroyed after the disposition date if needed to meet a deficiency in the conserving base or diverted acreage requirement except that this provision is not applicable when the deficiency is the result of a spot check conducted under provisions of § 718.23 of this chapter and in certification counties as provided in § 718.28 of this chapter.

(7) Other uses recommended by the State committee which are not in conflict with other provisions of the program and which the Deputy Administrator approves in advance.

(c) *Additional provisions relating to the conserving base.* \* \* \*

(7) Acreage not planted or which was planted but failed because of a natural disaster which is considered devoted to cotton, wheat, or feed grains under the provisions of the programs for those commodities shall not be considered as being devoted to a conserving use except as provided in § 792.3(a) (2).

3. In § 792.3 paragraphs (a), (c), (d), and (h) are amended to read as follows:

§ 792.3 Designation, use, and care of diverted acreage under the feed grain, upland cotton, wheat diversion, and wheat certificate programs; approved conserving uses:

(a) *Cropland eligible for designation.* Land to be eligible for designation as diverted acreage must be cropland as provided in this paragraph. Where the county committee determines that the average productivity of the land diverted is substantially less than the average productivity of the cropland which would normally be devoted to the crop, the payments for the farm shall be reduced to take into account the actual productivity of the diverted acreage. Subject to the provisions of paragraph (b) of this section, the following may be designated as diverted acreage:

(1) Land which was cropland in the preceding year and is currently classified as cropland which, under normal conditions, could reasonably be expected to produce a crop, or

(2) Land on which cotton or feed grain was prevented from being planted due to a natural disaster or was planted but failed because of a natural disaster and which is classified as cotton acreage or feed grain acreage for purposes of price support payments: *Provided*, That (i) the cotton or feed grain was planted in a workmanlike manner, (ii) the residue of a chemical used as a weed control makes it impracticable to devote the land to a subsequent crop for harvest in the

current year, (iii) the farm operator requests that the land be classified as cotton or feed grain acreage for purposes of price support payments and as diverted acreage, (iv) the land is treated throughout the remainder of the current year in a manner acceptable for diverted acreage in the area, and (v) the feed grain acreage for the farm does not exceed the feed grain permitted acreage (the base for a nonparticipating farm).

(c) *Restriction on harvesting of crops from diverted acreage.* No crops other than the crops specified in paragraph (e) of this section shall be harvested from the designated diverted acreage in the current year, or after December 31 of the current year if the crop would normally mature and be harvested in the current year, except (1) where the crop is one which matured in the year preceding the current year on land which was not designated as diverted acreage in such year under an adjustment program and the harvesting was delayed because of adverse weather or other conditions beyond the control of the farm operator, or (2) where the Secretary determines that it is necessary to permit the harvesting of crops from the diverted acreage for use in the area in order to alleviate a shortage of forage resulting from severe drought, flood, or other natural disaster and consents to such harvesting subject to an appropriate reduction in the payment rate.

(d) *Restriction on grazing.* The designated diverted acreage shall not be grazed during the period between April 30 and October 1 of the current year, or at the election of the State committee with advance notice to the operator and the Director, Farmer Programs Division, between March 31 and September 1 or between April 14 and September 15, except where the Secretary considers it necessary to permit the diverted acreage to be grazed in order to alleviate a shortage of forage in the area resulting from severe drought, flood, or other natural disaster and consents to such grazing subject to an appropriate reduction in the payment rate.

(h) *Approved conservation uses on diverted acreage.* Subject to the provisions of paragraphs (c), (d), and (g), of this section, the approved conservation uses on diverted acreage are as follows:

(1) The conservation uses set forth in § 792.2(b), or

(2) A crop, excepting soybeans when not approved as a conserving use, destroyed by natural causes if the acreage is substituted for other eligible diverted acreage when: (i) The operator requests reclassification of the crop, and (ii) the farm is otherwise in compliance with the program.

(Titles III, IV, V, and VI of the Food and Agriculture Act of 1965, 79 Stat. 1187; Public Law 90-475, 82 Stat. 701)

*Effective date.* This amendment shall become effective on the date of its publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on January 27, 1969.

LIONEL C. HOLM,  
Acting Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 69-1311; Filed, Jan. 30, 1969; 8:49 a.m.]

## Title 21—FOOD AND DRUGS

### Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

#### SUBCHAPTER B—FOOD AND FOOD PRODUCTS

#### PART 51—CANNED VEGETABLES

#### Canned Carrots; Confirmation of Effective Date of Order Amending Identity Standard To Provide for Optional Addition of Certain Calcium Salts

In the matter of amending the definition and standard of identity for canned vegetables other than those specifically regulated (21 CFR 51.990) to permit, within certain limitations, the optional addition to canned carrots of purified calcium chloride, calcium sulfate, calcium citrate, monocalcium phosphate, or any mixture of two or more such calcium salts to firm the carrots:

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120), notice is given that no objections were filed to the order in the above-identified matter published in the FEDERAL REGISTER of December 5, 1968 (33 F.R. 18089). Accordingly, the amendments promulgated by that order became effective January 5, 1969.

Dated: January 21, 1969.

J. K. KIRK,  
Associate Commissioner  
for Compliance.

[F.R. Doc. 69-1298; Filed, Jan. 30, 1969; 8:48 a.m.]

#### PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

#### Dodecachlorooctahydro-1,3,4-Metheno-2H-Cyclobuta [cd] Pentalene

A petition (PP 8F0659) was filed with the Food and Drug Administration by the Allied Chemical Corp., Agricultural Division, 40 Rector Street, N.Y. 10006, proposing an exemption from the requirements of a tolerance for residues of the insecticide dodecachlorooctahydro-1,3,4-metheno-2H-cyclobuta [cd] pentalene in or on raw agricultural commodities from use in Federal-State programs

in baits for suppression of imported fire ants.

Subsequently, the petition was amended by proposing that tolerances be established for negligible residues of the subject insecticide in the fat of meat from cattle, goats, hogs, horses, poultry, and sheep at 0.1 part per million; in all raw agricultural commodities (exclusive of milk-fat and of the fat of the meat animals listed above) at 0.01 part per million; and in milk at 0.004 part per million. As the insecticide concentrates in the fat of milk, this is the equivalent of 0.1 part per million on a milk-fat basis, assuming that the milk contains 4 percent of fat. Ingestion of residues of this insecticide by poultry may result in residues in the fat of the meat and also in eggs.

The Secretary of Agriculture has certified that this pesticide chemical is useful for the purposes for which the tolerances are being established.

Based on consideration given the data submitted in the petition and other relevant material, the Commissioner of Food and Drugs concludes that: (1) A tolerance of 0.1 part per million is appropriate regarding eggs; and (2) the tolerances established by this order will protect the public health. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d) (2), 68 Stat. 512; 21 U.S.C. 346a (d) (2)) and under authority delegated to the Commissioner (21 CFR 2.120), Part 120 is amended as follows:

1. Section 120.3(e) (4) is amended by alphabetically inserting in the list of chlorinated organic pesticides a new item, as follows:

#### § 120.3 Tolerances for related pesticide chemicals.

	*	*	*	*
(e) * * *				
(4) * * *				

Dodecachlorooctahydro-1,3,4-metheno-2H-cyclobuta [cd] pentalene.

2. The following new section is added to Subpart C:

#### § 120.251 Dodecachlorooctahydro-1,3,4-metheno-2H-cyclobuta [cd] pentalene; tolerances for residues.

Tolerances for residues of the insecticide dodecachlorooctahydro-1,3,4-metheno-2H-cyclobuta [cd] pentalene in or on raw agricultural commodities are established as follows:

0.1 part per million (negligible residue) in the fat of meat from cattle, goats, hogs, horses, poultry, and sheep.

0.1 part per million in milk fat reflecting negligible residues in milk.

0.1 part per million (negligible residue) in eggs.

0.01 part per million (negligible residue) in or on all raw agricultural commodities (exclusive of eggs, milk fat, and the fat of cattle, goats, hogs, horses, poultry, and sheep).

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date

of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

*Effective date.* This order shall become effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 408(d) (2), 68 Stat. 512; 21 U.S.C. 346a(d) (2))

Dated: January 21, 1969.

J. K. KIRK,  
Associate Commissioner  
for Compliance.

[F.R. Doc. 69-1299; Filed, Jan. 30, 1969; 8:48 a.m.]

#### PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

#### O,O-Diethyl S-2-(Ethylthio)Ethyl Phosphorodithioate

A petition (PP 8F0734) was filed with the Food and Drug Administration by the Chemagro Corp., Post Office Box 4913, Kansas City, Mo. 64120, proposing the establishment of tolerances for residues of the insecticide O,O-diethyl S-2-(ethylthio)ethyl phosphorodithioate in or on the raw agricultural commodities sorghum grain at 0.1 part per million and sorghum fodder and forage at 5 parts per million.

Subsequently, the petitioner amended the petition to request tolerances for residue of that insecticide and its cholinesterase-inhibiting metabolites (calculated as demeton) in or on sorghum grain at 0.1 part per million and sorghum fodder and forage at 5 parts per million.

The Secretary of Agriculture has certified that this pesticide chemical is useful for the purposes for which the tolerances are being established.

Based on consideration given the data submitted in the petition and other relevant material, the Commissioner of Food and Drugs concludes that:

1. Since the proposed usage is not reasonably expected to result in residues of the pesticide occurring in the edible tissues and byproducts of poultry or animals fed the above-named commodities, tolerances are unnecessary regarding meat, milk, eggs, or poultry. The

usage is classified in the category specified in § 120.6(a) (3).

2. The tolerances established by this order will protect the public health.

Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d) (2), 68 Stat. 512; 21 U.S.C. 346a(d) (2)) and under authority delegated to the Commissioner (21 CFR 2.120), § 120.183 is amended by revising the paragraphs "5 parts per million \* \* \*" and "0.1 part per million \* \* \*" to read as follows:

§ 120.183 *O,O*-Diethyl S-2-(ethylthio) ethyl phosphorodithioate; tolerances for residues.

\* \* \*  
5 parts per million in or on alfalfa (fresh), barley (green fodder and straw), bean vines, clover (fresh), corn fodder and forage (including field corn, sweet corn, and popcorn), oats (green fodder and straw), peanut hay, pea vines, pineapple foliage, rice straw, sorghum fodder and forage, wheat (green fodder and straw).

\* \* \*  
0.1 part per million in or on sorghum grain, soybeans.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

**Effective date.** This order shall become effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 408(d) (2), 68 Stat. 512; 21 U.S.C. 346a(d) (2))

Dated: January 21, 1969.

J. K. KIRK,  
Associate Commissioner  
for Compliance.

[F.R. Doc. 69-1300; Filed, Jan. 30, 1969; 8:48 a.m.]

#### SUBCHAPTER C—DRUGS

#### PART 148p—POLYMYXIN

#### Sterile Polymyxin B Sulfate-Benzalkonium Chloride Urethral Lubricant

Under the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357) and delegated

by him to the Commissioner of Food and Drugs (21 CFR 2.120), the following new section is added to Part 148p to provide for certification of the subject antibiotic drug:

#### § 148p.9 Sterile polymyxin B sulfate-benzalkonium chloride urethral lubricant.

(a) **Requirements for certification—**  
(1) **Standards of identity, strength, quality, and purity.** Sterile polymyxin B sulfate-benzalkonium chloride urethral lubricant is polymyxin B sulfate and benzalkonium chloride, with one or more suitable and harmless suspending agents, in a suitable and harmless base. It contains, in each gram, 5,000 units of polymyxin B and 330 micrograms of benzalkonium chloride. Its content of polymyxin B is satisfactory if it contains not less than 90 percent and not more than 130 percent of the number of units of polymyxin B that it is represented to contain. It is sterile. Its pH is not less than 4.0 and not more than 5.5. The polymyxin B sulfate used conforms to § 148p.1(a) (1) (i), (iv), (vi), (vii), and (ix). Each other substance used, if its name is recognized in the U.S.P. or N.F., conforms to the standards prescribed therefor by such official compendium.

(2) **Labeling.** It shall be labeled in accordance with the requirements of § 148.3 of this chapter.

(3) **Requests for certification; samples.** In addition to the requirements of § 146.2 of this chapter, each such request shall contain:

(i) Results of tests and assays on:

(a) The polymyxin B sulfate used in making the batch for potency, toxicity, pH, residue on ignition, and identity.

(b) The batch for potency, sterility, and pH.

(ii) Samples required.

(a) The polymyxin B sulfate used in making the batch: 10 packages, each containing approximately 300 milligrams.

(b) The batch.

(1) For all tests except sterility: A minimum of five immediate containers.

(2) For sterility testing: 20 immediate containers, collected at regular intervals throughout each filling operation.

(c) In case of an initial request for certification, each other ingredient used in making the batch: One package of each containing approximately 5 grams.

(4) **Fees.** \$4 for each container submitted in accordance with subparagraph (3) (ii) (a), (b) (1), and (c) of this paragraph; \$12 for all containers in the sample submitted in accordance with subparagraph (3) (ii) (b) (2) of this paragraph and \$24 for all containers in the samples submitted for any repeat sterility tests, if necessary, in accordance with § 141.2(f) of this chapter.

(b) **Tests and methods of assay—**(1) **Potency.** (i) Proceed as directed in § 148p.3(b) (1); or

(ii) Proceed as directed in § 148p.1 (b) (1), except prepare the sample for assay as follows: Transfer an accurately weighed representative portion into a high speed glass blender. Add 1.0 milliliter of polysorbate 80 and 199 milliliters of 10 percent potassium phosphate buffer,

pH 6.0, and blend 3 to 5 minutes. Further dilute with 10 percent potassium phosphate buffer, pH 6.0, to the proper reference concentration.

(2) **Sterility.** Proceed as directed in § 141.2(e) (2) of this chapter.

(3) **pH.** Proceed as directed in § 141a.5 (b) of this chapter, using the undiluted sample.

Data supplied by the manufacture concerning the subject antibiotic drug have been evaluated. Since the conditions prerequisite to providing for certification of the drug have been complied with and since it is in the public interest not to delay in providing for such certification, notice and public procedure and delayed effective date are not prerequisites to this promulgation.

**Effective date.** This order shall be effective upon publication in the FEDERAL REGISTER.

(Sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357)

Dated: January 21, 1969.

J. K. KIRK,  
Associate Commissioner  
for Compliance.

[F.R. Doc. 69-1301; Filed, Jan. 30, 1969; 8:48 a.m.]

## Title 26—INTERNAL REVENUE

### Chapter I—Internal Revenue Service, Department of the Treasury

#### SUBCHAPTER C—EMPLOYMENT TAXES

[T.D. 7001]

### PART 31—EMPLOYMENT TAXES; APPLICABLE ON AND AFTER JANUARY 1, 1955

#### Treatment of Tips; Correction

On January 23, 1969, T.D. 7001 was published in the FEDERAL REGISTER (34 F.R. 996). The words "and within the first 30 days following the quarter" which immediately follow the word "quarter" in the first sentence of paragraph (c) (1) (iii) of § 31.3102-3 of the Employment Tax Regulations (26 CFR Part 31), as prescribed by T.D. 7001 (34 F.R. 998), should, instead, immediately follow the word "quarter" in the second sentence of such paragraph. Accordingly, paragraph (c) (1) (iii) of § 31.3102-3 is corrected to read as follows:

§ 31.3102-3 Collection of, and liability for, employee tax on tips.

\* \* \*  
(c) **Collection of employee tax on estimated basis—**(1) **In general.** \* \* \*

(iii) Deduct from any payment of such employee's wages (exclusive of tips) which are under the control of the employer, or from funds referred to in paragraph (a) (3) of this section, such amount as may be necessary to adjust the amount of tax withheld on the estimated basis to conform to the amount of employee tax imposed upon, and required to be deducted in respect of, tips reported by the employee to the employer during the



calendar quarter in written statements furnished to the employer pursuant to section 6053(a). If an adjustment is required, the additional employee tax required to be collected may be deducted upon any payment of the employee's wages (exclusive of tips) which are under the control of the employer during the quarter and within the first 30 days following the quarter or from funds turned over by the employee to the employer for such purposes within such period. For provisions relating to the repayment to an employee, or other disposition, of amounts deducted from an employee's remuneration in excess of the correct amount of employee tax, see § 31.6413(a)-1.

[SEAL] JAMES F. DRING,  
Director, Legislation and  
Regulations Division.

[F.R. Doc. 69-1286; Filed, Jan. 30, 1969;  
8:47 a.m.]

SUBCHAPTER E—ALCOHOL, TOBACCO AND  
OTHER EXCISE TAXES  
[T.D. 7003]

PART 201—DISTILLED SPIRITS PLANTS  
PART 240—WINE

Miscellaneous Amendments

On December 24, 1968, a notice of proposed rule making to amend 26 CFR Parts 201 and 240, with respect to miscellaneous amendments relating to wine, was published in the FEDERAL REGISTER (33 F.R. 19193). In accordance with the notice, interested persons were afforded an opportunity to submit written comments or suggestions pertaining thereto. After consideration of all relevant matter presented regarding the proposed amendments, the regulations as so published are hereby adopted, subject to the changes set forth below:

PARAGRAPH 1. Paragraph B12 is changed by deleting the phrase "no more than 14 percent" and inserting in lieu thereof the phrase "of not more than 14 percent".

PAR. 2. Paragraph B16 is changed to revise paragraph (a) of § 240.978d.

Because this Treasury decision implements the provisions of Public Law 90-619 (82 Stat. 1236), effective February 1, 1969, it is found impracticable and contrary to the public interest to issue this Treasury decision subject to the effective date limitation of section 553(d) of title 5 of the United States Code. Accordingly, this Treasury decision shall become effective February 1, 1969.

(Sec. 7805, Internal Revenue Code (68A Stat. 917; 26 U.S.C. 7805))

[SEAL] WILLIAM H. SMITH,  
Acting Commissioner  
of Internal Revenue.

Approved: January 29, 1969.

WILLIAM F. HELLMUTH, JR.,  
Acting Assistant Secretary  
of the Treasury.

In order to implement the provisions of Public Law 90-619 relating to (1) the use of special natural wines in the production of wine spirits, (2) the addition of wine spirits to natural wine, (3) the sweetening of high acid wines, and (4) the alcohol content limitations applicable in the production of certain wines; and to make conforming and clarifying changes, the regulations in 26 CFR Parts 201 and 240 are amended as follows:

PARAGRAPH A. Section 201.11 of 26 CFR Part 201 is amended to redefine the term "Wine spirits". As amended, § 201.11 reads as follows:

§ 201.11 Meaning of terms.

*Wine spirits.* As authorized for use in wine production by section 5373, I.R.C., means brandy or wine spirits produced in a distilled spirits plant (with or without the use of water to facilitate extraction and distillation) exclusively from (a) fresh or dried fruit, or their residues, (b) the wine or wine residues therefrom, or (c) special natural wine; except that where, in the production of natural wine or special natural wine, sugar has been used, the wine or the residuum thereof may not be used if the unfermented sugars therein have been re-fermented. Such wine spirits shall not be reduced with water from the distillation proof, nor be distilled at less than 140 degrees of proof (except that commercial brandy aged in wood for a period of not less than 2 years, and barreled at not less than 100 degrees of proof, shall be deemed wine spirits).

PAR. B. 26 CFR Part 240 is amended as follows:

§ 240.46 [Amended]

1. Section 240.46 is amended by changing the phrase "less than 14 percent" to read "not more than 14 percent."

2. Section 240.55 is amended to redefine the term "Wine spirits." As amended, § 240.55 reads as follows:

§ 240.55 Wine spirits.

"Wine spirits," as authorized for use in wine production by section 5373, I.R.C., means brandy or wine spirits produced in a distilled spirits plant (with or without the use of water to facilitate extraction and distillation) exclusively from (a) fresh or dried fruit, or their residues, (b) the wine or wine residues therefrom, or (c) special natural wine; except that where, in the production of natural wine or special natural wine, sugar has been used, the wine or the residuum thereof may not be used if the unfermented sugars therein have been re-fermented. Such wine spirits shall not be reduced with water from the distillation proof, nor be distilled at less than 140 degrees of proof (except that commercial brandy aged in wood for a period of not less than 2 years, and barreled at not less than 100 degrees of proof, shall be deemed wine spirits for the purpose of this part).

3. Section 240.363 is amended to revise requirements respecting use of liquid sugar, alcoholic content, and records. As amended, § 240.363 reads as follows:

§ 240.363 Sweetening of natural grape wine produced without the use of sugar.

Natural grape wine produced without the use of sugar may be sweetened with concentrated or unconcentrated grape juice, before or after the addition of wine spirits; the only limitation being that the total solids content of the finished wine shall not exceed 21 percent by weight. Any natural grape wine produced without the use of sugar and containing less than 12 percent by weight of total solids, may be sweetened, after removal from fermenters, with pure dry sugar or liquid sugar if the total solids content of the finished wine does not exceed 12 percent by weight and the alcoholic content of the finished wine after sweetening is not more than 14 percent by volume: *Provided*, That the use under this section of liquid sugar shall be so limited that the resulting volume will not exceed the volume which could result from the maximum authorized use of pure dry sugar only. Where wine is sweetened with liquid sugar, as provided in this section, a record of sweetening shall be kept in accordance with § 240.914b. Where wine is sweetened with concentrated or unconcentrated grape juice, or with pure dry sugar, as provided in this section, the gallons of wine before and after sweetening shall be determined and entered on the record provided for in § 240.908.

(72 Stat. 1383, as amended, 1384, as amended, 1387, as amended; 26 U.S.C. 5382, 5383, 5392)

4. Section 240.368 is amended by revising paragraph (b) respecting the use of pure dry sugar or liquid sugar for sweetening and adding a new paragraph (c). As amended, § 240.368 reads as follows:

§ 240.368 Sweetening of natural grape wine produced with the use of sugar.

(b) *Use of pure dry sugar or liquid sugar.* (1) Any natural grape wine produced with the use of sugar and containing less than 12 percent by weight of total solids, may be sweetened, after removal from the fermenters, with pure dry sugar or liquid sugar, if the total solids content of the finished wine does not exceed 12 percent by weight and the alcoholic content of the finished wine after sweetening is not more than 14 percent by volume.

(2) Any natural grape wine of a wine-maker's own production, produced under the provisions of § 240.365, may be sweetened, after amelioration and fermentation, and either before or after any addition of wine spirits, with pure dry sugar or liquid sugar: *Provided*, That the total solids content of the finished wine shall not exceed 17 percent by weight if the alcoholic content is more than 14 percent by volume, and shall not exceed 21 percent by weight if the alcoholic content is not more than 14 percent by volume.

(3) The use under this paragraph of liquid sugar shall be limited so that the

resulting volume will not exceed the volume which could result from the maximum authorized use of pure dry sugar only.

(c) *Records.* Where wine is sweetened with liquid sugar under the provisions of paragraph (b) of this section, a record of sweetening shall be kept in accordance with § 240.914b. Where wine is sweetened with concentrated or unconcentrated grape juice, or pure dry sugar, under the provisions of this section, the gallons of wine before and after sweetening shall be determined and entered on the record provided for in § 240.908.

(72 Stat. 1384, as amended; 26 U.S.C. 5383)

5. Section 240.374 is amended to revise the provisions respecting the addition of wine spirits. As amended, § 240.374 reads as follows:

**§ 240.374 General.**

Grape wine spirits may be added only to natural grape wine in a bonded wine cellar at which natural wine is produced by fermentation of juice or must, and which is located in the same State as the bonded wine cellar where the natural grape wine was produced. The wine spirits may be added only in wine spirits addition tanks approved as provided in § 240.198. If the wine has been ameliorated, wine spirits may be added (whether or not wine spirits were previously added) only if the wine contains not more than 14 percent of alcohol by volume derived from fermentation. The wine spirits will be procured as provided in Subpart PP of this part and will be added to the wine under the supervision of an internal revenue officer. The proprietor will advise the assistant regional commissioner, or other designated officer, in sufficient time that an internal revenue officer may be assigned. The assistant regional commissioner may permit the addition of wine spirits without supervision.

(72 Stat. 1381, 1382, as amended, 1383, as amended, 1384, as amended; 26 U.S.C. 5366, 5373, 5382, 5383)

6. Section 240.403 is amended to add a recordkeeping requirement and to update the statutory citation. As amended, § 240.403 reads as follows:

**§ 240.403 Use of juice and concentrated juice for sweetening.**

Natural fruit wine may be sweetened by the addition of concentrated or unconcentrated juice made from the same kind of fruit, the only limitation being that the finished wine may not have a total solids content in excess of 21 percent by weight. If wine spirits are added, the wine may be sweetened with juice or concentrated juice either before or after the addition of wine spirits. The gallons of wine before and after sweetening as provided in this section, shall be determined and entered on the record provided for in § 240.908.

(72 Stat. 1383, as amended; 26 U.S.C. 5382)

7. Section 240.406 is amended to revise requirements respecting use of liquid

sugar, alcohol content, and records. As amended, § 240.406 reads as follows:

**§ 240.406 Use of pure dry sugar or liquid sugar.**

A winemaker producing wine from fruit or berries, other than grapes, or from mixtures (which may include grapes) of two or more fruits or berries, with the addition of pure dry sugar or liquid sugar, but without water added to reduce acid content, may add such pure dry sugar or liquid sugar to the juice in the fermenters, or to the wine after fermentation: *Provided*, That such wine shall have not more than 14 percent alcohol by volume after complete fermentation, or after complete fermentation and sweetening, and a total solids content not in excess of 21 percent by weight. The use of liquid sugar under this section shall be limited so that the resultant volume will not exceed the volume which could result from the maximum authorized use of pure dry sugar only. Where pure dry sugar or liquid sugar is added to the juice in the fermenters, the winemaker shall maintain a separate record thereof showing the kind and quantity of juice (exclusive of pulp) deposited in fermenters and the quantity of pure dry sugar or liquid sugar added thereto. Where wine produced as provided in this section is sweetened after complete fermentation with liquid sugar, a record of sweetening shall be kept in accordance with § 240.914b. Where wine produced as provided in this section is sweetened after complete fermentation with pure dry sugar, the gallons of wine before and after sweetening shall be determined and entered on the record provided for in § 240.908. After completion of fermentation of the wine, wine spirits may be added thereto in accordance with the provisions of §§ 240.374 through 240.380.

(72 Stat. 1383, as amended, 1385, as amended; 26 U.S.C. 5382, 5384)

**§ 240.409 [Amended]**

8. Section 240.409 is amended to change a reference to "§ 240.368(b) (3)" in the last sentence to read "§ 240.368 (c)".

9. Section 240.430 is amended to change the phrase "less than 14 percent" to read "not more than 14 percent", and to delete references to unfinished natural wine. As amended, § 240.430 reads as follows:

**§ 240.430 Production.**

Specially sweetened natural wine is produced by adding to natural wine of the proprietor's own production sufficient dry sugar, or juice or concentrated juice of the same kind of fruit, separately or in combination, so that the finished product has a total solids content in excess of 17 percent by weight, a total solids content not over 35 percent by weight, and an alcohol content not more than 14 percent by volume. Natural wine containing added wine spirits may be used in the production of specially sweetened natural wine; however, wine spirits may not

be added to specially sweetened natural wine.

(72 Stat. 1386, as amended; 26 U.S.C. 5385)

10. Section 240.431 is amended to make a conforming restatement of the text and to update the statutory citation. As amended, § 240.431 reads as follows:

**§ 240.431 Blending.**

Specially sweetened natural wines may be blended with each other, or with natural wine or heavy bodied blending wine (including juice or concentrated juice to which wine spirits were added), in the further production of specially sweetened natural wine only, if the wines (or juice) so blended are made from the same kind of fruit.

(72 Stat. 1383, as amended, 1386, as amended; 26 U.S.C. 5382, 5385)

**§§ 240.461, 240.464 [Amended]**

11. Sections 240.461 and 240.464 are amended by changing the phrase "less than 14 percent" to read "not more than 14 percent".

**§§ 240.462, 240.463 [Amended]**

12. Sections 240.462 and 240.463 are amended by changing the phrase "less than 14 percent" to read "of not more than 14 percent".

**§ 240.483 [Amended]**

13. Section 240.483 is amended by changing the phrase "14 percent or more" to read "more than 14 percent".

14. Section 240.632 is amended to provide for the removal of unmarketable special natural wine for use as distilling material and to amend the statutory citation. As amended, § 240.632 reads as follows:

**§ 240.632 Special natural wine.**

Unmarketable special natural wine may be removed to a distilled spirits plant for use as distilling material in the production of wine spirits (but not brandy) only pursuant to written application, in duplicate, filed with and approved by the assistant regional commissioner. Such application shall identify the bonded wine cellar from which the special natural wine will be removed and the distilled spirits plant to which it will be shipped, and may be filed to cover the removal of a single lot of unmarketable special natural wine or for continuing authority for such removals. Where sugar has been used in the production of special natural wine, such wine may not be removed for use as distilling material if the unfermented sugars therein have been fermented prior to such removal. If wine spirits produced from special natural wine contain any flavor characteristics of such wine, the wine spirits may be used only in the production of a special natural wine.

(72 Stat. 1382, as amended; 26 U.S.C. 5373)

15. Section 240.914b is amended to require a separate record of sweetening only in those cases where liquid sugar is used for sweetening. As amended, § 240.914b reads as follows:



§ 240.914b Record of sweetening.

Each proprietor who sweetens natural wine with liquid sugar under the provisions of this part shall maintain separate records of such sweetening on a daily basis. No form of record is prescribed, but the record shall include the following:

(a) The gallons and degrees Brix of the wine before sweetening;

(b) The gallon equivalent of dry sugar that would have been required to sweeten the quantity of wine reported under paragraph (a) of this section to its maximum authorized total solids content;

(c) The gallons of liquid sugar used for sweetening; and

(d) The gallons and degrees Brix of the wine produced by sweetening.

Supporting records shall be maintained showing the basis for entries in the separate records. The quantity of wine before sweetening and the quantity of wine produced by sweetening, recorded in the separate records, shall be totaled daily, by tax classification, and entered on the record of still wine required by § 240.908. If the data required by this section is recorded directly on the record of still wine required by § 240.908, the separate records required by this section need not be maintained.

(72 Stat. 1381; 26 U.S.C. 5367)

16. Two new sections, §§ 240.978d and 240.978e, are added immediately following § 240.978c to provide instructions and a table respecting limitations on the use of liquid sugar for sweetening. As added, §§ 240.978d and 240.978e read as follows:

§ 240.978d Instructions respecting limitations on use of liquid sugar.

(a) *Table prescribed.* The table in § 240.978e shows the pounds of pure dry sugar (cane or beet) required to raise the total solids of one gallon of juice (de-alcoholized wine) to 12, 17, and 21 degrees Brix. This table may be used in determining the maximum quantity of liquid sugar that may be used for sweetening natural wine under the provisions of this part. Where a liquid sugar other than a sucrose solution is to be used for sweetening, the values given in Table IVb would be applicable to the computation of the maximum quantity of such liquid sugar that may be used for sweetening.

(b) *Example.* Find the maximum quantity of liquid sugar that may be used to sweeten 500 gallons of wine having a solids content of 3 degrees Brix, if such wine may be sweetened to a maximum solids content of 17 degrees Brix.

(1) Find the figure 3 in the left-hand column of Table IVb in § 240.978e.

(2) Opposite the figure 3, the resultant gallonage for each gallon of wine is found in the fifth column and is 1.10535, or an increase of 0.10535 gallon for each gallon.

(3)  $0.10535 \times 500 = 52.675$  gallons of liquid sugar, the maximum quantity that may be used.

§ 240.978e Table IVb showing the pounds of sugar required to raise 1 gallon of juice to 12, 17, and 21 degrees Brix and the resultant gallonage.

TABLE IVb

Brix of juice	12 Degrees Brix		17 Degrees Brix		21 Degrees Brix	
	Pounds cane or beet sugar	Resultant gallonage	Pounds cane or beet sugar	Resultant gallonage	Pounds cane or beet sugar	Resultant gallonage
0.....	1.13567	1.08476	1.70578	1.12713	2.21383	1.16497
1.....	1.04434	1.07733	1.61055	1.11041	2.11513	1.15700
2.....	0.95309	1.07059	1.51576	1.11241	2.01718	1.14876
3.....	0.86113	1.06380	1.42022	1.10535	1.91846	1.14246
4.....	0.76844	1.05694	1.32393	1.09823	1.81896	1.13510
5.....	0.67502	1.05003	1.22688	1.09105	1.71867	1.12768
6.....	0.58086	1.04306	1.12906	1.08381	1.61753	1.12020
7.....	0.48596	1.03604	1.03047	1.07651	1.51570	1.11265
8.....	0.39030	1.02895	0.93109	1.06915	1.41300	1.10504
9.....	0.29389	1.02181	0.83092	1.06172	1.30949	1.09737
10.....	0.19671	1.01460	0.72995	1.05423	1.20514	1.08963
11.....	0.09875	1.00733	0.62817	1.04668	1.09995	1.08182
12.....	0.00000	1.00000	0.52557	1.03906	0.99392	1.07395
13.....			0.42214	1.03138	0.88703	1.06601
14.....			0.31788	1.02364	0.77928	1.05800
15.....			0.21278	1.01583	0.67066	1.04993
16.....			0.10682	1.00794	0.56115	1.04178
17.....			0.00000	1.00000	0.45075	1.03357
18.....					0.33944	1.02529
19.....					0.22722	1.01693
20.....					0.11415	1.00917
21.....					0.00000	1.00000

[F.R. Doc. 69-1325; Filed, Jan. 30, 1969; 8:50 a.m.]

## Title 28—JUDICIAL ADMINISTRATION

### Chapter I—Department of Justice

[Order 409-69]

#### PART 8—CONFISCATION OF WIRE OR ORAL COMMUNICATION INTERCEPTING DEVICES

By virtue of the authority vested in me by sections 509 and 510 of title 28, section 301 of title 5, and section 2513 of title 18, United States Code, Chapter I of Title 28 of the Code of Federal Regulations is amended by inserting after Part 7 a new Part 8 as follows:

Sec.

8.1 Seizure of intercepting devices.

8.2 Seized intercepting devices.

**AUTHORITY:** The provisions of this Part 8 issued under secs. 509, 510, Title 28; sec. 301, Title 5; sec. 2513, Title 18; U.S.C.

##### § 8.1 Seizure of intercepting devices.

The Director, Associate Director, Assistant to the Director, Assistant Directors, inspectors and agents of the Federal Bureau of Investigation are authorized to exercise the power and authority vested in the Attorney General by section 2513 of title 18, United States Code to make seizures of wire or oral communication intercepting devices.

##### § 8.2 Seized intercepting devices.

All wire or oral communication intercepting devices seized pursuant to section 2513 of title 18, United States Code shall be held for or turned over to the U.S. Marshal for the district in which the seizure was made. Except for the power and authority conferred by § 8.1 and the powers described in the last sentence of this section, U.S. Marshals are, in accordance with section 2513 of title 18, United States Code, authorized and designated as the officers to perform

the various duties with respect to seizures and forfeitures of wire and oral communication intercepting devices under section 2513 of title 18, United States Code which are comparable to the duties performed by collectors of customs or other persons with respect to the seizure and forfeiture of vessels, vehicles, merchandise, and baggage under the customs laws. The Assistant Attorney General in charge of the Criminal Division is designated as the officer authorized to take final action under section 2513 of title 18, United States Code on claims for remission or mitigation of forfeitures, offers of payment for release of property, claims for award of compensation to an informer, offers in compromise and matters relating to bonds or other security.

The amendment made by this order shall be effective upon publication in the FEDERAL REGISTER.

Dated: January 23, 1969.

JOHN N. MITCHELL,  
Attorney General.

[F.R. Doc. 69-1285; Filed, Jan. 30, 1969; 8:47 a.m.]

## Title 32—NATIONAL DEFENSE

### Chapter XVIII—Office of Civil Defense, Office of the Secretary of the Army

#### PART 1812—EQUAL OPPORTUNITY FOR EMPLOYMENT IN FEDERALLY ASSISTED CONSTRUCTION

Chapter XVIII of Title 32 of the Code of Federal Regulations is amended by addition of new Part 1812, as follows:

Sec.

1812.1 Explanation, purpose and application.

1812.2 Definitions.

1812.3 Equal opportunity clause applicable to federally assisted construction contracts.

Sec.	
1812.4	Exemptions.
1812.5	Subcontracts.
1812.6	Adaptation of language.
1812.7	Incorporation by reference and by operation of the order and the regulations.
1812.8	Duties and responsibility of States to OCD.
1812.9	Elimination of segregated facilities.
1812.10	Notice of certification of nonsegregated facilities.
1812.11	Required certification of nonsegregated facilities.
1812.12	Preaward information and reviews.
1812.13	Reports and other required information.
1812.14	Compliance reviews.
1812.15	Complaints.
1812.16	Resolution of matters.
1812.17	Sanctions and penalties.
1812.18	Show cause notices.
1812.19	Reinstatement of ineligible contractors.
1812.20	Intimidation and interference.
1812.21	Affirmative action compliance programs.
1812.22	Notices to be posted.
1812.23	Access to records of employment.

**AUTHORITY:** The provisions of this Part 1812 issued under secs. 201, 205, and 401, 64 Stat. 1245-1257, 50 U.S.C. App. 2251-2297; Reorganization Plan No. 1 of 1958; 72 Stat. 1799, Executive Order 10952; 26 F.R. 6577; Establishment of the Office of Civil Defense and Delegation of Authority Regarding Civil Defense Functions, 29 F.R. 5017.

#### § 1812.1 Explanation, purpose and application.

(a) The regulations in this Part 1812 are supplemental to those of 41 CFR Part 60-1 and other rules, regulations, and orders of the Secretary of Labor or his designee issued pursuant to Executive Order 11246, and any Executive order amending or superseding such order, for the purpose of achieving the aims of part III of the Executive order. Although portions of 41 CFR Part 60-1 are set forth or summarized herein, reference to 41 CFR Part 60-1 must be made to assure full information and compliance.

(b) The purpose of regulations in this Part 1812 is to provide for the inclusion of clauses in grant documents and to provide for procedures to meet the requirements of 41 CFR Part 60-1 for the promotion and insuring of equal opportunity for persons, without regard to race, color, religion, sex, or national origin, employed or seeking employment with contractors performing under construction contracts which are federally assisted by means of a financial contribution to a State, or through the State to a political subdivision thereof, under section 201(i) or section 205 of the Federal Civil Defense Act of 1950, as amended (50 U.S.C. App. 2251-2297).

(c) The regulations in this Part 1812 apply to all applicants to OCD for Federal financial assistance under section 201(i) or section 205 of the Federal Civil Defense Act of 1950, as amended (50 U.S.C. App. 2251-2297) which may include a construction contract and to all contractors and subcontractors performing under such federally assisted contracts. The regulations in this part do not apply to any action taken to effect com-

pliance with respect to employment practices subject to title VI of the Civil Rights Act of 1964. The rights and remedies of the Government hereunder are not exclusive and do not affect rights and remedies provided elsewhere by law, regulation, or contract; neither do the regulations in this part limit the exercise of power by the Secretary of Labor or the Department of Defense or other Government agencies granted to them by the Executive order or the regulations of the Secretary of Labor.

#### § 1812.2 Definitions.

(a) The term "administering agency" or "agency" means the Department of Defense (DoD). The term includes the OCD as a DoD component administering the program of Federal grants for civil defense use.

(b) The term "applicant" means any State and any political subdivision thereof which joins with the State, applying to OCD for Federal financial assistance, pursuant to the Act, involving a construction contract. The term also includes such States and political subdivisions after they become recipients of Federal assistance and whether or not entering into a construction contract was contemplated at the time the Federal assistance was requested.

(c) The term "construction work" means the construction, rehabilitation, alteration, conversion, extension, demolition or repair of buildings, highways, or other changes or improvements to real property, including facilities providing utility services. The term also includes the supervision, inspection, and other on-site functions incidental to the actual construction.

(d) The term "contract" means any federally assisted construction contract.

(e) The term "contractor" means, unless otherwise indicated, a prime contractor or subcontractor.

(f) The term "Contract Compliance Officer" means the Assistant Secretary of Defense (Manpower and Reserve Affairs), DoD.

(g) The term "Deputy Contract Compliance Officer" means the Director, Defense Supply Agency (DSA), DoD.

(h) The term "Director" means the Director, Office of Federal Contract Compliance, U.S. Department of Labor, or his delegate.

(i) The term "equal opportunity clause" means the contract provisions set forth under the heading "Equal Opportunity Clause" of paragraph (a) of § 1812.3. (Also see 41 CFR 60-1.4.)

(j) The term "federally assisted construction contract" means any agreement or modification thereof between any applicant and a person for construction work which is paid for in whole or in part with funds obtained from the Government or borrowed on the credit of the Government pursuant to any Federal program involving a grant, contract, loan, insurance, or guarantee, or undertaken pursuant to any Federal program involving such grant, contract, loan, insurance, or guarantee, or any application or modification thereof approved by the Government for a grant, contract, loan,

insurance, or guarantee under which the applicant itself participates in the construction work.

(k) The term "Government" means the Government of the United States of America.

(l) The term "OCD" means the Office of Civil Defense, Office of the Secretary of the Army, Department of Defense.

(m) The term "order" means Parts III and IV of the Executive Order 11246 dated September 24, 1965 (30 F.R. 12319), any Executive order amending such order, and any other Executive order superseding such order.

(n) The term "person" means any natural person, corporation, partnership, unincorporated association, State, or local government, and any agency, instrumentality, or subdivision of such a government.

(o) The term "prime contractor" means any person holding a contract and, for the purpose of enforcement, compliance review and complaint procedure, any person who has held a contract subject to the order.

(p) The term "site of construction" means the general physical location of any building, highway, or other change or improvement to real property which is undergoing construction, rehabilitation, alteration, conversion, extension, demolition, or repair and any temporary location or facility at which a contractor, subcontractor, or other participating party meets a demand or performs a function relating to the contract or subcontract.

(q) The term "subcontract" means any agreement or arrangement between a contractor and any person (in which the parties do not stand in the relationship of an employer and an employee):

(1) For the furnishing of supplies or services or for the use of real or personal property, including lease arrangements, which, in whole or in part, is necessary to the performance of any one or more contracts; or

(2) Under which any portion of the contractor's obligation under any one or more contracts is performed, undertaken, or assumed.

(r) The term "subcontractor" means any person holding a subcontract and, for the purposes of enforcement, compliance review and complaint procedure, any person who has held a subcontract subject to the order. The term "first-tier subcontractor" refers to a subcontractor holding a subcontract with a prime contractor.

(s) The term "United States" or "States" as used herein shall include the several States, the District of Columbia, the Commonwealth of Puerto Rico, and the Panama Canal Zone, and the possessions of the United States.

#### § 1812.3 Equal opportunity clause applicable to federally assisted construction contracts.

The provisions set forth in paragraph (a) through (d) of this § 1812.3 shall be included as a part of the terms and conditions applicable to the making of any grant of Federal financial assistance toward the costs of any construction

which is not exempt (under 41 CFR 60-1.5) from the requirements of the equal opportunity clause. The provisions may be incorporated by reference, and by operation of the order and the regulations in 41 CFR Part 60-1 and this Part 1812, they shall be considered to be incorporated with or without reference, in every project application agreement or other document setting forth the terms and conditions of a grant of Federal financial assistance toward construction costs.

(a) The applicant hereby agrees that it will incorporate or cause to be incorporated into any contract for construction work, or modification thereof, as defined in the regulations of the Secretary of Labor at 41 CFR Chapter 60, which is paid for in whole or in part with funds obtained from the Federal Government or borrowed on the credit of the Federal Government pursuant to a grant, contract, loan, insurance, or guarantee, or undertaken pursuant to any Federal program involving such grant, contract, loan, insurance, or guarantee, the following equal opportunity clause:

**EQUAL OPPORTUNITY CLAUSE**

During the performance of this contract, the contractor agrees as follows:

(1) The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The contractor will take affirmative action to insure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to the following: Employment; upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this equal opportunity clause.

(2) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, or national origin.

(3) The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers' representatives of the contractor's commitments under this equal opportunity clause, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(4) The contractor will comply with all provisions of Executive Order 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

(5) The contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the administering agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(6) In the event of the contractor's non-compliance with the equal opportunity clause of this contract or with any of the said rules, regulations, or orders, this contract may be canceled, terminated, or suspended in whole or in part and the contrac-

tor may be declared ineligible for further Government contracts or federally assisted construction contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

(7) The contractor will include this equal opportunity clause (the portion of the sentence immediately preceding paragraph (1) and the provisions of paragraphs (1) through (7)) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the administering agency may direct as a means of enforcing such provisions, including sanctions for noncompliance: *Provided, however*, That in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the administering agency, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

(b) The applicant agrees that it will be bound by the above equal opportunity clause with respect to its own employment practices when it participates in federally assisted construction work: *Provided*, That the above equal opportunity clause is not applicable to any agency, instrumentality or subdivision of such applicant government which does not participate in work on or under the contract.

(c) The applicant agrees that it will assist and cooperate actively with the administering agency and the Secretary of Labor in obtaining the compliance of contractors and subcontractors with the equal opportunity clause and the rules, regulations, and relevant orders of the Secretary of Labor, that it will furnish the administering agency and the Secretary of Labor such information as they may require for the supervision of such compliance, and that it will otherwise assist the administering agency in the discharge of the agency's primary responsibility for securing compliance.

(d) The applicant agrees that it will refrain from entering into any contract or contract modification subject to Executive Order 11246 of September 24, 1965, with a contractor debarred from, or who has not demonstrated eligibility for, Government contracts and federally assisted construction contracts pursuant to the Executive order and will carry out such sanctions and penalties for violation of the equal opportunity clause as may be imposed upon contractors and subcontractors by the administering agency or the Secretary of Labor pursuant to Part II, Subpart D of the Executive order. In addition, the applicant agrees that if it failed or refuses to comply with these undertakings, the administering agency may take any or all of the following actions: Cancel, terminate, or suspend in whole or in part this grant (contract, loan, insurance, guarantee); refrain from extending any further assistance to the applicant under the program with respect to which the failure or refund occurred until satisfactory assurance of future compliance has been received from such applicant; and refer the case to the Department of Justice for appropriate legal proceedings.

**§ 1812.4 Exemptions.**

The exemptions provided by the Secretary of Labor pursuant to the order

are set forth at 41 CFR 60-1.5 to which reference should be made. Two of particular concern to participants under the OCD grant program are:

(a) *Transactions of \$10,000 or under.* Any federally assisted construction contract, or subcontract thereunder not exceeding \$10,000 in amount is exempt from the requirements of the equal opportunity clause. The amount of such contract or subcontract rather than the amount of the Federal financial assistance shall govern. No applicant, contractor, or subcontractor shall procure supplies or services in less than usual quantities to avoid applicability of the equal opportunity clause.

(b) *Specific limitations regarding State or local governments.* The requirements of the equal opportunity clause in any contract or subcontract with a State or local government (or any agency, instrumentality or subdivision thereof) shall not be applicable to any agency, instrumentality or subdivision of such government which does not participate in work on or under the contract or subcontract. In addition, State and local governments are exempt from the requirements of filing the annual compliance report provided for by 41 CFR 60-1.7(a)(1)—see § 1812.13(a)(1), and maintaining a written affirmative action compliance program prescribed by 41 CFR 60-1.40—see § 1812.21.

**§ 1812.5 Subcontracts.**

Each nonexempt prime contractor and subcontractor under a federally assisted construction contract shall include the equal opportunity clause in each of their nonexempt subcontracts.

**§ 1812.6 Adaptation of language.**

Such necessary changes in language may be made in the equal opportunity clause as shall be appropriate to identifying properly the parties and their undertakings.

**§ 1812.7 Incorporation by reference, and by operation of the order and the regulations.**

(a) The equal opportunity clause may be incorporated by reference in contracts and subcontracts less than \$50,000, and such other contracts as the Director may designate.

(b) By operation of the order, the equal opportunity clause shall be considered to be a part of every contract and subcontract required by the order and the regulations in 41 CFR Part 60-1 to include such clause whether or not it is physically incorporated in such contracts and by operation of this Part 1812 whether or not such contract has been put in writing.

**§ 1812.8 Duties and responsibilities of States to OCD.**

(a) As to each contributions project OCD relies upon the State as the applicant and the State shall be responsible to OCD for obtaining compliance with the equal opportunity clause, the order, the regulations in 41 CFR Part 60-1 and in this Part 1812, and orders issued pursuant thereto. The State shall cooperate

with the appropriate OCD Regional Director and shall furnish him such information and assistance as the OCD may require in the performance of its functions under the order.

(b) Prior to OCD making any payment or advance toward the costs of any project which involves construction work exceeding \$10,000, the State must certify that: (1) All contractors and subcontractors performing under federally assisted construction contracts and related subcontracts exceeding \$10,000 have: (i) Individually signed and submitted the Certification of Nonsegregated Facilities required under the project application and that the certifications of the prime contractor are being retained in the files of the State or political subdivision, as appropriate, for a period of three years for inspection; (ii) taken action or agreed to take action satisfactory to the Contract Compliance Officer or Deputy Contract Compliance Officer, as provided in 41 CFR 60-1.20(b), and, where so required, any such agreement to take action has been stated in the contract; and (2) in cases where the applicant is performing federally assisted construction work, the agreement to take action has been fully performed by the applicant.

#### **§ 1812.9 Elimination of segregated facilities.**

Prime contractors, subcontractors, and applicants subject to the equal opportunity clause must insure that the facilities provided for employees are provided in a manner that segregation on the basis of race, color, religion, or national origin cannot result. They may neither require such segregated use by explicit directives nor tolerate such use by employee custom. The obligation extends further to insuring that employees are not assigned to perform their services at any location under the prime contractor's, subcontractor's, or applicant's (where he is himself performing federally assisted construction) control where the facilities are segregated. Such segregation at any facility provided by a prime contractor, subcontractor, or applicant is an unacceptable failure to comply with the contractor's equal opportunity obligations. Discharge of this obligation in no way whatsoever diminishes or relieves a prime contractor, subcontractor, or applicant of his responsibility to carry out fully the other nondiscrimination and affirmative action requirements of his contract.

#### **§ 1812.10 Notice of certification of non-segregated facilities.**

The following notice shall be included in each agreement or modification thereof with an applicant which may involve a federally assisted construction contract, or subcontract thereunder, exceeding \$10,000:

##### **NOTICE TO APPLICANTS OF REQUIREMENT FOR CERTIFICATION OF NONSEGREGATED FACILITIES**

(a) The applicant must submit a Certification of Nonsegregated Facilities as a condition precedent to the effectiveness of any agreement for Federal financial

assistance where the applicant will itself perform a federally assisted construction contract exceeding \$10,000 which is not exempt from the provisions of the equal opportunity clause.

(b) The applicant shall notify prospective federally assisted construction contractors of the Certification of Nonsegregated Facilities required, as follows:

##### **NOTICE TO PROSPECTIVE FEDERALLY ASSISTED CONSTRUCTION CONTRACTORS**

(1) A Certification of Nonsegregated Facilities must be submitted prior to the award of a federally assisted construction contract exceeding \$10,000 which is not exempt from the provisions of the equal opportunity clause.

(2) Contractors receiving federally assisted construction contract awards exceeding \$10,000 which are not exempt from the provisions of the equal opportunity clause will be required to provide for the forwarding of the following notice to prospective subcontractors for supplies and construction contracts where the subcontracts exceed \$10,000 and are not exempt from the provisions of the equal opportunity clause:

##### **NOTICE TO PROSPECTIVE SUBCONTRACTORS OF REQUIREMENT FOR CERTIFICATION OF NON-SEGREGATED FACILITIES**

(i) A Certification of Nonsegregated Facilities must be submitted prior to the award of a subcontract exceeding \$10,000 which is not exempt from the provisions of the equal opportunity clause. The certification may be submitted either for each subcontract or for all subcontracts during a period (i.e., quarterly, semi-annually, or annually).

NOTE: The penalty for making false statements in offers is prescribed in 18 U.S.C. 1001.

(ii) Contractors receiving subcontract awards exceeding \$10,000 which are not exempt from the provisions of the equal opportunity clause will be required to provide for the forwarding of this notice to prospective subcontractors for supplies and construction contracts where the subcontracts exceed \$10,000 and are not exempt from the provisions of the equal opportunity clause.

#### **§ 1812.11 Required certification of non-segregated facilities.**

(a) Applicants who are themselves performing federally assisted construction contracts, federally assisted construction contractors, and their respective subcontractors, shall submit the certification required by this § 1812.11 in connection with their bids, proposals, contracts, contract modifications, and agreements where awards and agreements may result in contracts and subcontracts exceeding \$10,000 which are not exempt from the provisions of the equal opportunity clause. Certifications shall be individually signed except where the certification is executed by reason of the signature on the bid or offer. The certifications submitted by subcontractors shall be retained in the files of the prime contractor or subcontractor receiving the certification. Where a prime contractor or subcontractor does business with a concern on a continuing basis,

a single certification may be submitted periodically (quarterly, semiannually, or annually) rather than with each transaction.

(b) Certification to be submitted by federally assisted construction contractors of applicants and their subcontractors; and by applicants who are themselves performing federally assisted construction contracts:

##### **CERTIFICATION OF NONSEGREGATED FACILITIES**

(1) (Applicable to federally assisted construction contracts and related subcontracts and agreements with applicants who are themselves performing federally assisted construction contracts, exceeding \$10,000 which are not exempt from the equal opportunity clause.)

(2) The federally assisted construction contractor or subcontractor, or applicant certifies that he does not maintain or provide for his employees any segregated facilities at any of his establishments, and that he does not permit his employees to perform their services at any location, under his control, where segregated facilities are maintained. He certifies further that he will not maintain or provide for his employees any segregated facilities at any of his establishments, and that he will not permit his employees to perform their services at any location, under his control, where segregated facilities are maintained. The federally assisted construction contractor or subcontractor or applicant agrees that a breach of this certification is a violation of the equal opportunity clause in the contract. As used in this certification, the term "segregated facilities" means any waiting rooms, work areas, rest rooms and wash rooms, restaurants and other eating areas, time clocks, locker rooms, and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis of race, color, religion, or national origin, because of habit, local custom, or otherwise. The federally assisted construction contractor or subcontractor or applicant, further agrees that (except where he has obtained identical certifications from proposed subcontractors for specific time periods) he will obtain identical certifications from proposed subcontractors prior to the award of subcontracts exceeding \$10,000 which are not exempt from the provisions of the equal opportunity clause, and that he will retain such certifications in his files;

(3) NOTE: The penalty for making false statements in offers is prescribed in 18 U.S.C. 1001.

#### **§ 1812.12 Preaward information and reviews.**

(a) Each OCD Regional Director approving an application for Federal financial assistance involving a construction contract shall obtain from the State and the State shall provide to the OCD Regional Director for his use in notifying the Deputy Contract Compliance Officer as soon as practicable of the impending award of each nonexempt contract, the name and address of the prime contractor, anticipated time of performance, name and address of each known subcontractor, whether the prime contractor and known subcontractors have previously held any Government contracts or federally assisted construction contracts subject to Executive Order 10925, 11114, or 11246, and whether the prime contractor has previously filed

compliance reports required by Executive Order 10925, 11114, or 11246, or by regulations of the Equal Employment Opportunity Commission issued pursuant to Title VII of the Civil Rights Act of 1964.

(b) The Deputy Contract Compliance Officer will review the available information relative to the prospective prime contractor's equal opportunity compliance status and notify the appropriate OCD Regional Director of any deficiencies found to exist.

(c) The State, upon notice from the OCD Regional Director, shall: (1) Notify the bidder, offeror, or applicant of any deficiencies found to exist by the Contract Compliance Officer or Deputy Contract Compliance Officer and (2) direct any bidder, offeror, or applicant so notified to negotiate with the Contract Compliance Officer and to take such actions as the Contract Compliance Officer may require.

(d) The award of any such contract shall be conditioned upon the Contract Compliance Officer's notification to the OCD Regional Director, and by the OCD Regional Director to the State, that the bidder, offeror or applicant has taken action or has agreed to take action satisfactory to the Contract Compliance Officer or Deputy Contract Compliance Officer as provided in 41 CFR 60-1.20(b). If the Contract Compliance Officer so requires, (1) such agreement to take action shall be stated in the contract; and (2) in addition, in cases where the applicant is performing federally assisted construction work, in an appropriate grant document (e.g., an OCD approved project application).

#### § 1812.13 Reports and other required information.

(a) *Requirements for prime contractors and subcontractors.* (1) Each applicant shall require its contractor(s) and each prime contractor shall file, and each prime contractor and subcontractor shall cause its subcontractors to file, annually, on or before the 31st day of March, complete and accurate reports on Standard Form 100 (EEO-1) promulgated jointly by the Office of Federal Contract Compliance, the Equal Employment Opportunity Commission and Plans for Progress or such form as may hereafter be promulgated in its place if such prime contractor or subcontractor: (i) is not exempt from the provisions of the regulations in accordance with 41 CFR 60-1.5; (ii) has 50 or more employees; (iii) is a prime contractor or first tier subcontractor; and (iv) has a contract, subcontract or purchase order amounting to \$50,000 or more or serves as a depository of Government funds in any amount, or is a financial institution which is an issuing and paying agent for U.S. savings bonds and savings notes; *Provided*, That any subcontractor below the first tier which performs construction work at the site of construction shall be required to file such a report if it meets requirements of subdivisions (i), (ii), and (iv) of this subparagraph.

(2) Each person required to submit reports shall file such a report with the OCD within 30 days after the award to him of a contract or subcontract, unless such person has submitted such a report within 12 months preceding the date of the award. Subsequent reports shall be submitted annually or at such other intervals as the OCD or the Director may require. The OCD with the approval of the Director may extend the time for filing any report.

(3) The Director or the OCD or the applicant, on their own motions, may require a prime contractor to keep employment or other records and to furnish, in the form requested, within reasonable limits, such information as the Director, or the OCD or the applicant deems necessary for the administration of the order.

(4) Failure to file timely, complete and accurate reports as required constitutes noncompliance with the prime contractor's or subcontractor's obligations under the equal opportunity clause and is ground for the imposition by the OCD, the Director, an applicant, prime contractor or subcontractor, of any sanctions as authorized by the order and the regulations in 41 CFR Part 60-1. Any such failure shall be reported in writing to the Director by the OCD as soon as practicable after it occurs.

(b) *Requirements for bidders or prospective contractors—(1) Previous reports.* Each bidder or prospective prime contractor and proposed subcontractor, where appropriate, shall state in the bid or at the outset of negotiations for the contract whether it has participated in any previous contract or subcontract subject to the equal opportunity clause; and, if so, whether it has filed with the Joint Reporting Committee, the Director, an agency, or the former President's Committee on Equal Employment Opportunity all reports due under the applicable filing requirements. In any case in which a bidder or prospective prime contractor or proposed subcontractor which participated in a previous contract or subcontract subject to Executive Order 10925, 11114, or 11246 has not filed a report due under the applicable filing requirements, no contract or subcontract shall be awarded unless such contractor submits a report covering the delinquent period or such other period specified by the OCD or the Director.

(2) *Additional information.* Each bidder or prospective prime contractor or proposed subcontractor shall submit such information as the OCD or the Director requests prior to the award of the contract or subcontract. When a determination has been made to award the contract or subcontract to a specific contractor, such contractor shall be required, prior to award, or after the award, or both, to furnish such other information as the OCD, the applicant, or the Director requests.

(c) *Use of reports.* Reports filed pursuant to this section shall be used only in connection with the administration of the order, the Civil Rights Act of 1964, or in furtherance of the purposes of the order and said act.

#### § 1812.14 Compliance reviews.

(a) The Deputy Contract Compliance Officer conducts a program of compliance reviews. The purpose of a compliance review is to determine if the prime contractor or subcontractor maintains nondiscriminatory hiring and employment practices and is taking affirmative action to insure that applicants are employed and that employees are placed, trained, upgraded, promoted, and otherwise treated during employment without regard to race, color, religion, sex, or national origin. It consists of a comprehensive analysis and evaluation of each aspect of the aforementioned practices, policies, and conditions resulting therefrom. Where necessary, recommendations for appropriate sanctions will be made.

(b) Where deficiencies are found to exist, reasonable efforts will be made to secure compliance through conciliation and persuasion. Before the contractor can be found to be in compliance with the order, it must make a specific commitment, in writing, to correct any such deficiencies. The commitment must include the precise action to be taken and dates for completion. The time period allotted shall be no longer than the minimum period necessary to effect such changes. Upon approval of the Contract Compliance Officer or the Deputy Contract Compliance Officer of such commitment, the contractor may be considered in compliance, on condition that the commitments are faithfully kept. The making of such commitments does not preclude future determinations of non-compliance based on a finding that the commitments are not sufficient to achieve compliance.

#### § 1812.15 Complaints.

(a) *Who may file.* Any employee of any contractor or person applying for employment with such contractor may, by himself or by an authorized representative, file in writing a complaint of alleged discrimination in violation of the equal opportunity clause. Such complaint is to be filed not later than 180 days from the date of the alleged discrimination, unless the time for filing is extended by the agency or the Director upon good cause shown.

(b) *Where to file.* Complaints may be filed with the OCD or with the Director. Those filed with the Director may be referred to the agency for processing, or they may be processed in accordance with 41 CFR 60-1.25. Those filed with OCD will be referred to the Deputy Contract Compliance Officer for processing.

(c) *Contents.* (1) The complaint should include the name and address of the prime contractor or subcontractor committing the alleged discrimination, a description of the acts considered to be discriminatory, and any other pertinent information which will assist in the investigation and resolution of the complaint. The complaint shall be signed by the complainant or his authorized representative.

(2) Where a complaint contains incomplete information, the agency or the



Director will seek promptly the needed information from the complainant. In the event such information is not furnished to the agency or the Director within 60 days of the date of such request, the case may be closed.

#### § 1812.16 Resolution of matters.

(a) If the complaint investigation by the agency pursuant to paragraph (b) of 41 CFR 60-1.24 shows no violation of the equal opportunity clause, the agency will so inform the Director. The Director may review the findings of the agency, and he may request further investigation by the agency or may undertake such investigation as he may deem appropriate.

(b) If any complaint investigation or compliance review indicates a violation of the equal opportunity clause, the matter will be resolved by informal means whenever possible. Such informal means may include the holding of a compliance conference by the agency. The resolution is subject to review by the Director and may be disapproved if he determines that such resolution is not sufficient to achieve compliance.

(c) Where any complaint investigation or compliance review indicates a violation of the equal opportunity clause and the matter has not been resolved by informal means, the Director or the agency, with the approval of the Director, shall afford the contractor an opportunity for a hearing. If the final decision reached in accordance with the provisions of 41 CFR 60-1.26 is that a violation of the equal opportunity clause has taken place, the Director, or the agency with the approval of the Director, may cause the cancellation, termination, or suspension of any contract or subcontract, cause a contractor to be debarred from further contracts or subcontracts, or may impose such other sanctions as are authorized by the order.

#### § 1812.17 Sanctions and penalties.

The sanctions described in subsections (1), (5), and (6) of section 209(a) of the order may be exercised only by or with the approval of the Director. Referral of any matter arising under the order to the Department of Justice or to the Equal Opportunity Commission shall be made by the Director.

#### § 1812.18 Show cause notices.

When the Director has reasonable cause to believe that a contractor has violated the equal opportunity clause he may issue a notice requiring the contractor to show cause, within 30 days, why monitoring, enforcement proceedings or other appropriate action to ensure compliance should not be instituted.

#### § 1812.19 Reinstatement of ineligible contractors.

Any prime contractor or subcontractor declared ineligible for further contracts or subcontracts under the order may request reinstatement in a letter directed

to the Director. In connection with the reinstatement proceedings, the prime contractor or subcontractor shall be required to show that it has established and will carry out employment policies and practices in compliance with the equal opportunity clause.

#### § 1812.20 Intimidation and interference.

The sanctions and penalties contained in Subpart D of the order may be exercised by the agency or the Director against any prime contractor, subcontractor or applicant who fails to take all necessary steps, to ensure that no person intimidates, threatens, coerces, or discriminates against any individual for the purpose of interfering with the filing of a complaint, furnishing information, or assisting or participating in any manner in an investigation, compliance review, hearing, or any other activity related to the administration of the order or any other Federal, State, or local laws requiring equal employment opportunity.

#### § 1812.21 Affirmative action compliance programs.

(a) *Requirements of programs.* Each applicant shall require each prime contractor who has 50 or more employees and a contract of \$50,000 or more and each prime contractor and subcontractor shall require each subcontractor who has 50 or more employees and a subcontract of \$50,000 or more to develop a written affirmative action compliance program for each of its establishments. A necessary prerequisite to the development of a satisfactory affirmative action program is the identification and analysis of problem areas inherent in minority employment and an evaluation of opportunities for utilization of minority group personnel. The contractor's program shall provide in detail for specific steps to guarantee equal employment opportunity keyed to the problems and needs of members of minority groups, including, when there are deficiencies, the development of specific goals and time tables for the prompt achievement of full and equal employment opportunity. Each contractor shall include in his affirmative action compliance program a table of job classifications. This table should include but need not be limited to job titles, principal duties (and auxiliary duties, if any), rates of pay, and where more than one rate of pay applies (because of length of time in the job or other factors) the applicable rates. The affirmative action compliance program shall be signed by an executive official of the contractor.

(b) *Utilization evaluation.* The evaluation of utilization of minority group personnel shall include the following:

(1) An analysis of minority group representation in all job categories.

(2) An analysis of hiring practices for the past year, including recruitment sources and testing, to determine whether equal employment opportunity is being afforded in all job categories.

(3) An analysis of upgrading, transfer, and promotion for the past year to determine whether equal employment opportunity is being afforded.

(c) *Maintenance of programs.* Within 120 days from the commencement of the contract, each contractor shall maintain a copy of separate affirmative action compliance programs for each establishment, including evaluations of utilization of minority group personnel and the job classification tables, at each local office responsible for the personnel matters of such establishment. An affirmative action compliance program shall be part of the manpower and training plans for each new establishment and shall be developed and made available prior to the staffing of such establishment. A report of the results of such program shall be compiled annually and the program shall be updated at that time. This information shall be made available to representatives of the agency or Director upon request and the contractor's affirmative action program and the result it produces shall be evaluated as part of compliance review activities.

#### § 1812.22 Notices to be posted.

Unless alternative notices are prescribed by the Director or by the agency with the approval of the Director, the notices which prime contractors and subcontractors are required to post by paragraphs (1) and (3) of the equal opportunity clause will contain the language set forth at 41 CFR 60-1.42. Copies will be provided by the OCD Regional Directors to the States for use by them, their political subdivisions, and by contractors and subcontractors.

#### § 1812.23 Access to records of employment.

Each prime contractor and subcontractor shall permit access during normal business hours to his books, records, and accounts pertinent to compliance with the order, and all rules and regulations promulgated pursuant thereto, by the agency, or the Director for purposes of investigation to ascertain compliance with the equal opportunity clause of the contract or subcontract. Information obtained in this manner shall be used only in connection with the administration of the order, the administration of the Civil Rights Act of 1964, and in furtherance of the purposes of the order and that Act.

*Effective date.* The regulations in this Part 1812 shall be effective on the date of their publication in the FEDERAL REGISTER.

Dated this 23d day of January 1969.

JOSEPH ROMM,  
Director of Civil Defense.

[F.R. Doc. 69-1275; Filed, Jan. 30, 1969;  
8:46 a.m.]

# **Title 49—TRANSPORTATION**

## **Chapter III—Federal Highway Administration, Department of Transportation**

### **SUBCHAPTER A—MOTOR VEHICLE SAFETY REGULATIONS**

#### **PART 375—CONSUMER INFORMATION REGULATIONS**

##### **Vehicle Stopping Distance; Correction**

In F.R. Doc. 69-1008 beginning at page 1246 of the issue for Saturday, January 25, 1969, the following corrections should be made. The second sentence in the sixth full paragraph on page 1247 should read: "A definition of the power assist system has been included in paragraph (c) (5) of this section as requested."

The first sentence in § 375.101(e) (1) (vi) on page 1249 should read:

(vi) Vehicle weight, except for the demonstrations specified in subparagraph (2) (i) (d) and (e) of this paragraph shall be maximum loaded vehicle weight. \* \* \*

DOWELL H. ANDERS,  
*Deputy Chief Counsel.*

[F.R. Doc. 69-1287; Filed, Jan. 30, 1969;  
8:47 a.m.]

# Proposed Rule Making

## DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 953]

### IRISH POTATOES GROWN IN SOUTHEASTERN STATES

#### Limitation of Shipments

Consideration is being given to the issuance of the limitation of shipments regulation, hereinafter set forth, which was recommended by the Southeastern Potato Committee, established pursuant to Marketing Agreement No. 104 and Order No. 953, both as amended (7 CFR Part 953; 33 F.R. 8502, 8506) regulating the handling of Irish potatoes grown in the designated counties of Virginia and North Carolina. This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

All persons who desire to submit written data, views, or arguments in connection with this proposal may file the same in four copies with the Hearing Clerk, Room 112, U.S. Department of Agriculture, Washington, D.C. 20250, not later than 30 days after publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)). The proposed regulation is as follows:

#### § 953.309 Limitation of shipments.

During the period June 5 through July 31, 1969, no person shall ship any lot of potatoes produced in the production area unless such potatoes meet the requirements of paragraphs (a) and (b) of this section or unless such potatoes are handled in accordance with paragraphs (c) and (d) of this section.

(a) *Grade requirements.* All varieties U.S. No. 2, or better grade.

(b) *Inspection.* Each first handler shall, prior to making each shipment of potatoes cause each shipment to be inspected by an authorized representative of the Federal-State Inspection Service. No handler shall ship any potatoes for which inspection is required unless an appropriate inspection certificate has been issued with respect thereto by the Federal-State Inspection Service and the certificate is valid at the time of shipment.

(c) *Special purpose shipments.* The grade and inspection requirements set forth in paragraphs (a) and (b) of this section shall not be applicable to shipments of potatoes for potato chipping, canning, freezing, livestock feed, or charity: *Provided*, That the handler thereof complies with the safeguard requirements of paragraph (d) of this section.

(d) *Safeguards.* Each handler making shipments of potatoes for potato chipping, canning, freezing, livestock feed, or charity in accordance with paragraph (c) of this section shall:

(1) Notify the committee of his intent to ship potatoes pursuant to paragraph (c) of this section by applying on forms furnished by the committee for a Certificate of Privilege applicable to such special purpose shipments;

(2) Obtain an approved Certificate of Privilege;

(3) Prepare on forms furnished by the committee a special purpose shipment report for each such individual shipment; and

(4) Forward copies of such special purpose shipment report to the committee office and to the receiver with instructions to the receiver that he sign and return a copy to the committee's office. Failure of the handler or receiver to report such shipments by promptly signing and returning the applicable special purpose shipment report to the committee office shall be cause for suspension of such handler's Certificate of Privilege applicable to such special purpose shipments.

(e) *Minimum quantity exception.* Each handler may ship up to, but not to exceed, 5 hundredweight of potatoes any day without regard to the inspection and assessment requirements of this part, but this exception shall not apply to any portion of a shipment that exceeds 5 hundredweight of potatoes.

(f) *Definitions.* The term "U.S. No. 2," shall have the same meaning as when used in the U.S. Standards for Potatoes (§§ 51.1540-51.1556 of this title), including the tolerances set forth therein. All other terms used in this section shall have the same meaning as when used in Marketing Agreement No. 104 and this part, both as amended.

Dated: January 28, 1969.

FLOYD F. HEDLUND,  
Director, Fruit and Vegetable  
Division, Consumer and Mar-  
keting Service.

[F.R. Doc. 69-1312; Filed, Jan. 30, 1969;  
8:49 a.m.]

## DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 68-SO-91]

### FEDERAL AIRWAY

#### Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that

would designate a 1,200 feet AGL north alternate to VOR Federal airway No. 70 from Eufaula, Ala., via Macon, Ga., Dublin, Ga., to the intersection of Dublin 101° True (101° Mag.) and Allendale 247° True (248° Mag.) radials (Oconee INT).

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Southern Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Post Office Box 20636, Atlanta, Ga. 30320. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposals contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20590. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

The proposed alternate airway would be used for eastbound IFR departures from Lawson AAF and thus relieve traffic congestion to the north and west of that airport. Because of Restricted Area R-3002A, to the east of Lawson AAF, eastbound IFR departures must circumnavigate the restricted area to the north or south, prior to heading on course via the airways.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348) and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655 (c)).

Issued in Washington, D.C., on January 24, 1969.

H. B. HELSTROM,  
Chief, Airspace and Air  
Traffic Rules Division.

[F.R. Doc. 69-1270; Filed, Jan. 30, 1969;  
8:46 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 68-EA-143]

### TRANSITION AREA

#### Proposed Alteration

The Federal Aviation Administration is considering amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Jefferson, Ohio, transition area.

A new VOR standard instrument approach procedure has been developed for Ashtabula County Airport, Ashtabula,



Ohio, predicated on the Jefferson, Ohio, VORTAC and will require alteration of the Jefferson, Ohio 700-foot floor transition area to provide the additional airspace required to protect aircraft executing the instrument approach procedure and to change the word "VOR" to "VORTAC" wherever it appears in the description of the present Jefferson, Ohio, transition area.

Interested persons may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Department of Transportation, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y. 11430. All communications received within 30 days after publication in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements may be made for informal conferences with Federal Aviation Administration officials by contacting the Chief, Airspace and Standards Branch, Eastern Region.

Any data or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of Regional Counsel, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y.

The Federal Aviation Administration, having completed a review of the airspace requirements for the terminal area of Ashtabula, Ohio, proposes the airspace action hereinafter set forth:

Amend § 71.181 of Part 71 of the Federal Aviation Regulations by deleting in the description of the Jefferson, Ohio, transition area the phrase "VOR 061° radial extending from the 5-mile radius area to 8 miles northeast of the VOR." and insert the following in lieu thereof:

VORTAC 061° radial extending from the Ashtabula-Jefferson Airport 5-mile radius area to 8 miles northeast of the VORTAC; within a 5-mile radius of the center 41°46'40" N., 80°41'50" W., of Ashtabula County Airport, Ashtabula, Ohio, and within 2 miles each side of the Jefferson, Ohio, VORTAC 243° radial, extending from the VORTAC to 8 miles southwest of the VORTAC.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348) and section 6(c) of the DOT Act (49 U.S.C. 1655(c)).

Issued in Jamaica, N.Y., on January 16, 1969.

R. M. BROWN,  
Acting Director, Eastern Region.

[F.R. Doc. 69-1271; Filed, Jan. 30, 1969; 8:46 a.m.]

## [ 14 CFR Part 71 ]

[Airspace Docket No. 68-WA-23]

### ADDITIONAL CONTROL AREA Proposed Designation

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would designate an additional control area from the Point Barrow, Alaska, RBN, 1,200 feet AGL via the Lonely, Alaska, RBN, the Oliktok, Alaska, RBN, the Flaxman Island, Alaska, RBN to the Barter Island, Alaska, RBN. This would provide an access route of controlled airspace for IFR air traffic operating to and from the oil exploration activities on the northern slope of Alaska. The segment from Point Barrow to Oliktok would be designated on a part-time basis with the times of effectiveness published by NOTAM, and would be in effect during the hours the Point Barrow Flight Service Station is in operation.

As part of this proposal relates to the navigable airspace outside the United States, this notice is submitted in consonance with the ICAO International Standards and Recommended Practices.

Applicability of International Standards and Recommended Practices, by the Air Traffic Service, FAA, in areas outside domestic airspace of the United States is governed by Article 12 and Annex 11 to the convention on International Civil Aviation (ICAO), which pertains to the establishment of air navigation facilities and services necessary to promoting the safe, orderly, and expeditious flow of civil air traffic. Its purpose is to insure that civil flying on international air routes is carried out under uniform conditions designed to improve the safety and efficiency of air operations.

The International Standards and Recommended Practices in Annex 11 apply in those parts of the airspace under the jurisdiction of a contracting state, derived from ICAO, wherein air traffic services are provided and also whenever a contracting state accepts the responsibility of providing air traffic services over high seas or in airspace of undetermined sovereignty. A contracting state accepting such responsibility may apply the International Standards and Recommended Practices to civil aircraft in a manner consistent with that adopted for airspace under its domestic jurisdiction.

In accordance with Article 3 of the Convention on International Civil Aviation, Chicago, 1944, state aircraft are exempt from the provisions of Annex 11 and its Standards and Recommended Practices. As a contracting state, the United States agreed by Article 3(d) that its state aircraft will be operated in international airspace with due regard for the safety of civil aircraft.

Since this action involves, in part, the designation of navigable airspace outside the United States, the Administrator has consulted with the Secretary of State and the Secretary of Defense in

accordance with the provisions of Executive Order 10854.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Alaskan Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 632 Sixth Avenue, Anchorage, Alaska 99501. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20590. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under the authority of sections 307(a) and 1110 of the Federal Aviation Act of 1958 (49 U.S.C. 1348 and 1510) and Executive Order 10854 (24 F.R. 9565) and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C., on January 24, 1969.

H. B. HELSTROM,  
Chief, Airspace and Air  
Traffic Rules Division.

[F.R. Doc. 69-1272; Filed, Jan. 30, 1969; 8:46 a.m.]

## [ 14 CFR Part 71 ]

[Airspace Docket No. 69-SO-7]

### CONTROL ZONE AND TRANSITION AREA

#### Proposed Designation and Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would designate the Greenwood, Miss., control zone and alter the Greenwood, Miss., transition area.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Area Manager, Memphis Area Office, Attention: Chief, Air Traffic Branch, Federal Aviation Administration, Post Office Box 18097, Memphis, Tenn. 38118. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Air Traffic Branch. Any data, views, or arguments presented during such conferences must also be

submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Southern Regional Office, Federal Aviation Administration, Room 724, 3400 Whipple Street, East Point, Ga.

The Greenwood control zone would be designated as:

Within a 5-mile radius of the Greenwood-Leflore Airport (lat. 33°29'30" N., long. 90°04'50" W.); within 2 miles each side of the Greenwood VORTAC 079° radial, extending from the 5-mile radius zone to 1.5 miles east of the VORTAC.

The Greenwood transition area described in § 71.181 (33 F.R. 2137 and 12824) would be altered by deleting " \* \* \* lat. 33°29'20" N., long. 90°05'00" W. \* \* \*" and substituting " \* \* \* lat. 33°29'30" N., long. 90°04'50" W. \* \* \*" therefor.

The proposed control zone would provide controlled airspace protection for IFR aircraft during climb to 700 feet above the surface and during descent below 1,000 feet above the surface.

The proposed alteration of the transition area is required because Coast and Geodetic Survey refined the geographic coordinate for Greenwood-Leflore Airport to lat. 33°29'30" N., long. 90°04'50" W.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348 (a)) and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655 (c)).

Issued in East Point, Ga., on January 21, 1969.

JAMES G. ROGERS,  
*Director, Southern Region.*

[F.R. Doc. 69-1273; Filed, Jan. 30, 1969;  
8:46 a.m.]

# **[ 14 CFR Part 71 ]**

[Airspace Docket No. 69-EA-1]

## **TRANSITION AREA**

### **Proposed Designation**

The Federal Aviation Administration is considering amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a Bennington, Vt., transition area over Bennington Municipal Airport.

A new VOR standard instrument approach procedure has been authorized for Bennington Municipal Airport, Bennington, Vt., and will require designation of a 700-foot floor transition area to provide airspace protection for aircraft executing this procedure.

Interested parties may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Department of Transportation, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y. 11430. All communications received within 30 days after publication in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements may be made for informal conferences with Federal Aviation Administration officials by contacting the Chief, Airspace and Standards Branch, Eastern Region.

Any data or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of Regional Counsel, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y.

The Federal Aviation Administration, having completed a review of the airspace requirements for the terminal area of Bennington, Vt., proposes the airspace action hereinafter set forth:

Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a Bennington, Vt., transition area described as follows:

### **BENNINGTON, VT.**

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center 42°53'30" N., 73°14'50" W. of Bennington Municipal Airport, Bennington, Vt., and within 2 miles each side of the Cambridge, N.Y., VOR 145° radial, extending from the 5-mile radius area to the VOR. This transition area is effective from sunrise to sunset, daily.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348) and section 6(c) of the DOT Act (49 U.S.C. 1655(c)).

Issued in Jamaica, N.Y., on January 16, 1969.

R. M. BROWN,  
*Acting Director, Eastern Region.*

[F.R. Doc. 69-1274; Filed, Jan. 30, 1969;  
8:46 a.m.]

# Notices

## DEPARTMENT OF THE TREASURY

### Office of Foreign Assets Control CHINESE-TYPE FURNITURE

#### Importation Directly From Singapore; Available Certifications

Notice is hereby given that certificates of origin issued by the Trade Division, Ministry of Finance of the Government of Singapore under procedures agreed upon between that government and the Office of Foreign Assets Control in connection with the Foreign Assets Control Regulations are now available with respect to the importation into the United States directly, or on a through bill of lading, from Singapore of the following additional commodity:

Chinese-Type Furniture.

[SEAL] MARGARET W. SCHWARTZ,  
*Director,*  
*Office of Foreign Assets Control.*

[F.R. Doc. 69-1309; Filed, Jan. 30, 1969;  
8:49 a.m.]

#### Office of the Secretary

[T.D. 69-43; Treasury Dept. Order 165-21]

### COMMISSIONER OF CUSTOMS

#### Delegation of Certain Functions

JANUARY 24, 1969.

By virtue of authority vested in the Secretary of the Treasury by Executive Order No. 11450, dated January 18, 1969 (34 F.R. 919), and pursuant to authorization given to me by Treasury Department Order No. 190, Rev. 5 (33 F.R. 5811), the Commissioner of Customs is hereby designated to take all necessary action required of the United States under section 1 of Article 5 of the Customs Convention on the international transport of goods under cover of TIR carnets (TIR Convention) to which the U.S. Senate gave its consent on March 1, 1967, and shall exercise his authority hereunder subject to the conditions set forth in section 2 of said Article 5.

[SEAL] MATTHEW J. MARKS,  
*Acting Assistant Secretary,*  
*of the Treasury.*

[F.R. Doc. 69-1310; Filed, Jan. 30, 1969;  
8:49 a.m.]

## DEPARTMENT OF THE INTERIOR

### Bureau of Reclamation

#### BOISE NATIONAL FOREST, IDAHO

#### Order of Transfer of Administrative Jurisdiction of Land

By virtue of the authority vested in the Secretary of the Interior by section

7(c) of the Act of July 9, 1965 (79 Stat. 213), and his delegation of authority to the Commissioner of Reclamation dated February 25, 1966, published March 4, 1966 (31 F.R. 3426), jurisdiction over the following described lands, which lie within and adjacent to the exterior boundaries of the Boise National Forest, Idaho, and which were acquired or were withdrawn by the Bureau of Reclamation in the development of the Anderson Ranch Reservoir, Boise Project, is hereby transferred to the Secretary of Agriculture for recreational and other National Forest purposes.

BOISE NATIONAL FOREST  
BOISE MERIDIAN, IDAHO

T. 1 S., R. 8 E.,  
Sec. 15, lot 6—24.8 acres;  
Sec. 16, lot 6—23.9 acres.

The lands to be transferred aggregate 48.7 acres, more or less.

Pursuant to said section 7(c) of the aforesaid Act of July 9, 1965, the above lands shall become National Forest lands: *Provided*, That all lands and waters within the Anderson Ranch Reservoir area needed or used for the operation of the project or for other Reclamation purposes shall continue to be administered by the Commissioner of Reclamation to the extent he determines to be necessary for such operation.

This order shall be effective upon publication in the FEDERAL REGISTER.

Dated: January 27, 1969.

FLOYD E. DOMINY,  
*Commissioner,*  
*Bureau of Reclamation.*

[F.R. Doc. 69-1288; Filed, Jan. 30, 1969;  
8:47 a.m.]

#### Office of the Secretary

### GEORGE V. KENNEDY

#### Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

- (1) No change.
- (2) No change.
- (3) No change.
- (4) No change.

This statement is made as of January 1, 1969.

Dated: January 20, 1969.

GEORGE V. KENNEDY.

[F.R. Doc. 69-1263; Filed, Jan. 30, 1969;  
8:45 a.m.]

#### W. I. MARTIN

#### Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

- (1) None.
- (2) None.
- (3) None.
- (4) None.

This statement is made as of February 22, 1969.

Dated: January 17, 1969.

W. I. MARTIN.

[F.R. Doc. 69-1264; Filed, Jan. 30, 1969;  
8:45 a.m.]

## DEPARTMENT OF AGRICULTURE

### Packers and Stockyards Administration

#### MOORE'S AUCTION AND LIVESTOCK COMMISSION ET AL.

#### Proposed Posting of Stockyards

The Chief, Registrations, Bonds, and Reports Branch, Packers and Stockyards Administration, U.S. Department of Agriculture, has information that the livestock markets named below are stockyards as defined in section 302 of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 202), and should be made subject to the provisions of the Act.

Moore's Auction and Livestock Commission,  
Calhoun, Ga.  
Escanaba Livestock Auction, Escanaba, Mich.  
Producers Livestock Marketing Association,  
McCook, Nebr.  
Wyalusing Livestock Market, Wyalusing, Pa.  
Central Carolina Livestock Market, Inc.,  
Lugoff, S.C.

Notice is hereby given, therefore, that the said Chief, pursuant to authority delegated under the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), proposes to issue a rule designating the stockyards named above as posted stockyards subject to the provisions of the Act, as provided in section 302 thereof.

Any person who wishes to submit written data, views, or arguments concerning the proposed rule, may do so by filing them with the Chief, Registrations, Bonds, and Reports Branch, Packers and Stockyards Administration, U.S. Department of Agriculture, Washington, D.C. 20250, within 15 days after publication in the FEDERAL REGISTER.

All written submissions made pursuant to this notice shall be made available for

public inspection at such times and places in a manner convenient to the public business (7 CFR 1.27(b)).

Done at Washington, D.C., this 27th day of January 1969.

G. H. HOPPER,  
Chief, Registrations, Bonds,  
and Reports Branch, Live-  
stock Marketing Division.

[F.R. Doc. 69-1313; Filed, Jan. 30, 1969;  
8:49 a.m.]

## DEPARTMENT OF HEALTH, EDU- CATION, AND WELFARE

### Food and Drug Administration CALGON CORP.

#### Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b) (5), 72 Stat. 1786; 21 U.S.C. 348 (b) (5)), notice is given that a petition (FAP 9B2381) has been filed by Calgon Corp., Box 1346, Pittsburgh, Pa. 15230, proposing that § 121.2526 *Components of paper and paperboard in contact with aqueous and fatty foods* (21 CFR 121.2526) be amended to provide for the safe use of partially hydrolyzed copolymers of acrylamide and dimethyldiallylammonium chloride as a retention aid and flocculent employed prior to the sheet-forming process in the manufacture of paper and paperboard intended for use in contact with food.

Dated: January 22, 1969.

R. E. DUGGAN,  
Acting Associate Commissioner  
for Compliance.

[F.R. Doc. 69-1302; Filed, Jan. 30, 1969;  
8:48 a.m.]

### ETHYL CORP.

#### Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b) (5), 72 Stat. 1786; 21 U.S.C. 348 (b) (5)), notice is given that a petition (FAP 9B2385) has been filed by Ethyl Corp., Post Office Box 341, Baton Rouge, La. 70821, proposing that § 121.2531 *Surface lubricants used in the manufacture of metallic articles* (21 CFR 121.2531) be amended to provide for the safe use of a mixture of synthetic alcohols (predominantly decyl and dodecyl) in surface lubricants used in the manufacture of metallic food-contact articles under conditions such that the total residual lubricant does not exceed 0.015 milligram per square inch of food-contact surface.

Dated: January 15, 1969.

R. E. DUGGAN,  
Acting Associate Commissioner  
for Compliance.

[F.R. Doc. 69-1303; Filed, Jan. 30, 1969;  
8:49 a.m.]

### STERLING DRUG INC.

#### Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b) (5), 72 Stat. 1786; 21 U.S.C. 348(b) (5)), notice is given that a petition (FAP 9H2383) has been filed by Sterling Drug Inc., 90 Park Avenue, New York, N.Y. 10016, proposing that § 121.2547 *Sanitizing solutions* (21 CFR 121.2547) be amended to provide for the safe use of aqueous solutions of benzalkonium chlorides (U.S.P. XVII) as sanitizing agents on food-processing equipment and utensils.

Dated: January 22, 1969.

R. E. DUGGAN,  
Acting Associate Commissioner  
for Compliance.

[F.R. Doc. 69-1304; Filed, Jan. 30, 1969;  
8:49 a.m.]

## CIVIL AERONAUTICS BOARD

[Docket No. 20565]

### WTC AIR FREIGHT ET AL.

#### Notice of Proposed Approval

Joint application of WTC Air Freight, Western Truck Leasing, et al., for approval of control and interlocking relationships, Docket 20565.

Notice is hereby given, pursuant to the statutory requirements of section 408(b) of the Federal Aviation Act of 1958, as amended, that the undersigned intends to issue the order set forth below under delegated authority. Interested persons are hereby afforded a period of 15 days from the date of service within which to file comments or request a hearing with respect to the action proposed in the order.

Dated at Washington, D.C., January 24, 1969.

[SEAL] A. M. ANDREWS,  
Director,  
Bureau of Operating Rights.

#### ORDER APPROVING CONTROL RELATIONSHIPS

Issued under delegated authority.

Joint application of WTC Air Freight, Western Truck Leasing Co., et al., for approval of control and interlocking relationships.

By Order E-26114, December 13, 1967, the Board approved the control by R. B. Meyers (Meyers) and A. Meyers Trust (Meyers Trust) of Western Truck Leasing Co. (Leasing), an intrastate common carrier by motor vehicle in the Southern California area, and, through Leasing, of Pacific and Atlantic Shippers, Inc. (P&A), a surface freight forwarder, United Freight, Inc. (Freight), a surface freight forwarder, Western Transportation Co., Inc. (Western), a surface freight forwarder, and WTC Air Freight (WTC), a domestic and international air freight forwarder.

By Order E-25375, July 3, 1967, the Board approved the control by Harry M. Baker (H. Baker), Jean M. Baker (J. Baker) and Mrs. E. L. McIntyre (McIntyre) of Coast Cartage Co. (Cartage), an intrastate cartage company in the Los Angeles area, and, through Cartage, of Skymaster, Inc. (Skymaster), then an applicant for domestic and inter-

national air freight forwarder authority, Coast Carloading Co., Inc. (Carloading), a surface freight forwarder, Art's Transfer and Storage Co., Inc. (Storage),<sup>1</sup> an intrastate cartage company operating in the Seattle, Wash., area, and Coast Transfer, Inc. (Transfer), an intrastate cartage company operating out of Portland, Oreg.

By joint application filed December 16, 1968, approval under section 408 is requested of (1) the acquisition by WTC of Cartage, (2) the acquisition by Cartage of the Interstate Commerce Commission (ICC) motor carrier certificate and the California Public Utilities Commission (PUC) authority of Leasing, and (3) realignment of the corporate structure headed by Meyers and Meyers Trust. In addition, the applicants request approval, or, in the alternative, a disclaimer of jurisdiction, with respect to the stock interest to be acquired in WTC by the present owners of Cartage as a result of WTC's acquisition of Cartage. Approval is also requested of any interlocking relationships that may occur upon consummation of the above-mentioned transactions.

Subsequent to December 13, 1967, WTC formed a Hong Kong subsidiary, WTC Air Freight (H.K.) Ltd. (WTC Ltd.), in which it owns a 90 percent interest. WTC Ltd., is an IATA sales agent and, therefore, is a person engaged in a phase of aeronautics within the meaning of section 408 of the Act.<sup>2</sup> On December 26, 1968, an amendment to the original application was filed requesting approval, or a disclaimer of jurisdiction, with respect to WTC's acquisition of control of WTC Ltd. Approval of any interlocking relationships relative to such acquisition was also requested.

Pursuant to a plan of agreement and reorganization, dated December 2, 1968, between WTC and H. Baker and J. Baker in their individual capacities, and McIntyre and J. Baker as cotrustees under an instrument dated October 15, 1964, H. Baker, J. Baker, and the McIntyre Trust (stockholders) will transfer to WTC all of Cartage's outstanding common stock. WTC will issue to each of the stockholders certificates for specific amounts of WTC's authorized but unissued shares of voting common stock.<sup>3</sup> H. Baker shall be elected or appointed a director of WTC prior to or at the closing of the agreement and Messrs. R. B. Meyers and Edward P. Downes will be elected directors of Cartage and Carloading.

The corporate simplification involved herein consists of the dissolution of the Western Terminal Co. (Terminal).<sup>4</sup>

Cartage presently owns all of the stock of Skymaster. On October 27, 1967, Skymaster was issued domestic and international air freight forwarding authority by the Board. Applicants indicate that prior to consummation of the plan of agreement, and prior to Board approval of the transactions contemplated thereby, Cartage will dispose of its interest in Skymaster. However, if such disposition has not been made by the stated time, applicants state that Skymaster will

<sup>1</sup> The name of Art's Transfer and Storage Co., Inc., was changed to Totem Trucking Co. (trucking) in 1967.

<sup>2</sup> WTC has also formed a wholly owned subsidiary, UNI Consolidators, which acts as a shippers' agent in the New York City area.

<sup>3</sup> Upon consummation of the plan of agreement, the stockholders will hold approximately 25 percent of WTC's stock, with Leasing owning 55 percent, Meyers 3 percent, and 16 percent will be publicly held.

<sup>4</sup> Terminal activities in the past have included the consolidation and distribution of freight as agent for various shippers and consignees on a noncommon carrier basis. See Examiner's Initial Decision, A. and R. B. Meyers, Western Transportation Co., Inc., et al., Docket 6914, Dec. 3, 1954.

surrender its air freight forwarding authorizations to the Board upon approval of the subject application.

Leasing currently holds ICC motor carrier authority in the Southern California area as well as a local certificate of public convenience and necessity issued to it by the PUC. By an agreement dated December 2, 1968, between Leasing, doing business as Western Transportation Co., and Cartage, Leasing has agreed to sell the above-mentioned motor carrier authorizations to Cartage.<sup>5</sup>

It is alleged that through the acquisition of Cartage and its subsidiary, Carloading, WTC expects to render improved service to the shipping public as a result of its direct operation of the surface freight forwarder. Moreover, applicants allege that the control relationships for which approval is requested do not adversely affect the public interest, and meet all the requirements of the third proviso of section 408 so as to warrant approval thereunder without a hearing.

No adverse comments or requests for a hearing have been received.

Notice of intent to dispose of the application without a hearing has been published in the FEDERAL REGISTER, and a copy of such notice has been furnished by the Board to the Attorney General not later than the day following the date of such publication, both in accordance with the requirements of section 408(b) of the Act.

Upon consideration of the foregoing, it is concluded that the transactions described in the application, as amended, involve (1) the acquisition by an air carrier (WTC) of control of a common carrier (Cartage), and, through Cartage, of three additional common carriers (Carloading, Transfer, and Trucking), and (2) acquisition by an air carrier (WTC) of control of a person engaged in a phase of aeronautics (WTC Ltd.).<sup>6</sup> It is also concluded that both acquisitions and the resultant common control relationships are subject to section 408 of the Act.<sup>7</sup> However, it has been concluded that such relationships and those involving the realignment of the corporate structure headed by Meyers and Meyers Trust do not affect the control of an air carrier directly engaged in the operation

of aircraft in air transportation, do not result in creating a monopoly, and do not tend to restrain competition. Furthermore, no person disclosing a substantial interest in this proceeding is currently requesting a hearing and it is concluded that a hearing is not required in the public interest. The control relationships are similar to those which the Board has previously approved and essentially do not present any new substantive issues.<sup>8</sup> It appears that approval of the control relationships would not be inconsistent with the public interest.<sup>9</sup>

It is also concluded that interlocking relationships within the meaning of section 409 of the Act have existed and will exist. However, upon approval of the acquisitions, such relationships would come within the scope of the exemption from section 409 afforded by § 287.2 of the Board's economic regulations. Consequently, that portion of the application seeking approval of the interlocking relationships will be dismissed.

Pursuant to authority duly delegated by the Board in the Board's Regulations, 14 CFR 385.13, it is found that the foregoing control relationships should be approved, subject to conditions under section 408(b) of the Act, without hearing.

Accordingly, it is ordered:

1. That the acquisition of control of WTC Ltd., by WTC be and it hereby is approved;
2. That the acquisition by WTC of control of Cartage, and, through Cartage, of Carloading, Transfer, and Trucking, and the common control by Meyers and Meyers Trust of each of the foregoing companies and those companies already within the system of affiliated and subsidiary companies controlled by Meyers and Meyers Trust be and they hereby are approved pursuant to section 408 of the Act subject to the following conditions:

(a) That if Cartage's interest in Skymaster is not disposed of by the date of consummation of the above-described transaction, Skymaster shall submit for cancellation within 10 days of the date of consummation of the subject transaction its domestic and international air freight forwarding Operating Authorizations;

(b) That within 5 days after consummation of the above-described transaction a notice shall be filed in this docket advising of the date of consummation and also whether Cartage's interest in Skymaster has been disposed of;

3. That the approvals granted herein shall be effective only so long as the operation of motor vehicles by the corporate applicants is limited to the States in which they presently operate; and

4. That, except to the extent granted herein, the application in Docket 20565, as amended, be and it hereby is dismissed.

Persons entitled to petition the Board for review of this order pursuant to the Board's regulations, 14 CFR 385.50, may file such petitions within 5 days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period unless

<sup>5</sup> ABC Freight Forwarding Corporation, et al., Control and Interlocking Relationships, 34 CAB 317 (1961).

<sup>6</sup> The corporate laws of California do not require approval of more than 66⅔ percent of the shareholders' for any corporate action. Thus, the approximate 25 percent cumulative stock interest in WTC to be acquired by H. Baker, J. Baker; and McIntyre does not give rise to a section 408 control relationship. Accordingly, the Board will dismiss that portion of the application seeking approval of such acquisition.

within such period a petition for review thereof is filed, or the Board gives notice that it will review this order on its own motion.

[SEAL]

HAROLD R. SANDERSON,  
Secretary.

[F.R. Doc. 69-1305; Filed, Jan. 30, 1969; 8:49 a.m.]

[Docket No. 19255]

## EAST COAST POINTS-EUROPE SERVICE INVESTIGATION

### Notice of Postponement of Prehearing Conference

JANUARY 28, 1969.

On January 10, 1969, all parties in the above-entitled proceeding were notified that the prehearing conference had been reassigned for February 13, 1969. The notice also requested the Bureau of Operating Rights to submit to the Examiner and other parties, on or before January 21, its request for information and a schedule of proposed procedural dates.

In response to the Examiner's request, the Bureau of Operating Rights, by letter dated January 21, 1969, submitted its request for information. In submitting its request, the Bureau stated that certain basic traffic data necessary to the processing of this proceeding will not be available until sometime in May or June 1969. Under the circumstances, the Bureau did not recommend any further procedural dates.

In view of the fact that the 1968 O. & D. Survey Data for the markets under consideration in this proceeding will not be available for several months, it is deemed desirable to postpone the prehearing conference rather than proceed at this time when it is difficult, if not impossible, to prescribe any meaningful procedural dates. Accordingly, the prehearing conference previously scheduled for February 13, 1969, is hereby postponed. All parties will be notified when a new prehearing conference date is established.

[SEAL]

ROSS I. NEWMANN,  
Hearing Examiner.

[F.R. Doc. 69-1306; Filed, Jan. 30, 1969; 8:49 a.m.]

[Docket 20632; Order 69-1-113]

## ROSS AVIATION, INC.

### Order To Show Cause

Issued under delegated authority on January 27, 1969.

The Postmaster General filed a notice of intent January 7, 1969, pursuant to 14 CFR Part 298, petitioning the Board to establish for the above captioned air taxi operator, a final service mail rate of 47.47 cents per great circle aircraft mile for the transportation of mail by aircraft between Savannah and Atlanta, Ga., via Augusta, Ga.

No protest or objection was filed against the proposed services during the time for filing such objections. The Postmaster General states that the Department and the carrier agree that the above rate is a fair and reasonable rate of compensation for the proposed

<sup>5</sup> Although Cartage itself currently holds motor vehicle common carrier certificates from both the ICC and the PUC, it has entered into an agreement with Harris Transportation Co. (Harris) to sell such certificates to Harris. The agreement between Leasing and Cartage indicates that the transaction shall be consummated immediately after the transaction pending between Cartage and Harris and immediately prior to consummation of the plan of agreement between WTC and the stockholders. Furthermore, it is a specific requirement that the plan of agreement between WTC and the stockholders be consummated in order for the agreement between Leasing and Cartage to be effective.

<sup>6</sup> It appears that the control and interlocking relationships between WTC and WTC Ltd., have been in effect for some time. Nevertheless, it has been decided not to enforce the doctrine expressed in Sherman Control and Interlocking Relationships, 15 CAB 876 (1952) and to consider the amended application on its merits.

<sup>7</sup> Since Cartage will dispose of Skymaster on or before its acquisition by WTC, or turn in Skymaster's forwarder authorization for cancellation, no regulatory purpose would be served by treating Cartage's acquisition of additional surface rights from Leasing as posing a new and separate section 408 transaction. Accordingly, the Board will dismiss that portion of the application requesting approval of such acquisition.

services. The Postmaster General believes these services will meet postal needs in the market. He states the air taxi plans to initiate mail service with Beechcraft Model 18, twin-engine aircraft equipped for all-weather operation.

It is in the public interest to fix, determine, and establish the fair and reasonable rate of compensation to be paid by the Postmaster General for the proposed transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, between the aforesaid points. Upon consideration of the notice of intent and other matters officially noticed, it is proposed to issue an order<sup>1</sup> to include the following findings and conclusions:

The fair and reasonable final service mail rate to be paid to Ross Aviation, Inc., in its entirety by the Postmaster General pursuant to section 406 of the Act for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, shall be 47.47 cents per great circle aircraft mile between Savannah and Atlanta, Ga., via Augusta, Ga.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a) and 406 thereof, and regulations promulgated in 14 CFR Part 302, 14 CFR Part 298, and 14 CFR 385.14(f):

*It is ordered, That:*

1. Ross Aviation, Inc., the Postmaster General, Delta Air Lines, Inc., Piedmont Aviation, Inc., Eastern Air Lines, Inc., and all other interested persons are directed to show cause why the Board should not adopt the foregoing proposed findings and conclusions and fix, determine, and publish the final rate specified above for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith as specified above as the fair and reasonable rate of compensation to be paid to Ross Aviation, Inc.;

2. Further procedures herein shall be in accordance with 14 CFR Part 302 and notice of any objection to the rate or to the other findings and conclusions proposed herein, shall be filed within 10 days, and if notice is filed, written answer and supporting documents shall be filed within 30 days after service of this order;

3. If notice of objection is not filed within 10 days after service of this order, or if notice is filed and answer is not filed within 30 days after service of this order, all persons shall be deemed to have waived the right to a hearing and all other procedural steps short of a final

<sup>1</sup> As this order to show cause is not a final action but merely affords interested persons an opportunity to be heard on the matters herein proposed, it is not regarded as subject to the review provisions of Part 385 (14 CFR Part 385). These provisions for Board review will be applicable to final action taken by the staff under authority delegated in § 385.14(g).

decision by the Board, and the Board may enter an order incorporating the findings and conclusions proposed herein and fix and determine the final rate specified herein;

4. If answer is filed presenting issues for hearing, the issues involved in determining the fair and reasonable final rate shall be limited to those specifically raised by the answer, except insofar as other issues are raised in accordance with Rule 307 of the rules of practice (14 CFR 302.307); and

5. This order shall be served upon Ross Aviation, Inc., the Postmaster General, Delta Air Lines, Inc., Piedmont Aviation, Inc., and Eastern Air Lines, Inc.

This order will be published in the FEDERAL REGISTER.

[SEAL] HAROLD R. SANDERSON,  
Secretary.

[F.R. Doc. 69-1307; Filed, Jan. 30, 1969;  
8:49 a.m.]

[Docket No. 20645; Order 69-1-111]

### ROSS AVIATION, INC.

#### Order To Show Cause

Issued under delegated authority on January 27, 1969.

The Postmaster General filed a notice of intent January 10, 1969, pursuant to 14 CFR Part 298, petitioning the Board to establish for the above captioned air taxi operator, a final service mail rate of 56.38 cents per great circle aircraft mile for the transportation of mail by aircraft between Charleston, S.C. and Charlotte, N.C., via Columbia, S.C.

No protest or objection was filed against the proposed services during the time for filing such objections. The Postmaster General states that the Department and the carrier agree that the above rate is a fair and reasonable rate of compensation for the proposed services. The Postmaster General believes these services will meet postal needs in the market. He states the air taxi plans to initiate mail service with Beechcraft Model 18 twin-engine aircraft equipped for all-weather operation.

It is in the public interest to fix, determine, and establish the fair and reasonable rate of compensation to be paid by the Postmaster General for the proposed transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, between the aforesaid points. Upon consideration of the notice of intent and other matters officially noticed, it is proposed to issue an order<sup>1</sup> to include the following findings and conclusions:

<sup>1</sup> As this order to show cause is not a final action but merely affords interested persons an opportunity to be heard on the matters herein proposed, it is not regarded as subject to the review provisions of Part 385 (14 CFR Part 385). These provisions for Board review will be applicable to final action taken by the staff under authority delegated in § 385.14(g).

The fair and reasonable final service mail rate to be paid to Ross Aviation, Inc., in its entirety by the Postmaster General pursuant to section 406 of the Act for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, shall be 56.38 cents per great circle aircraft mile between Charleston, S.C., and Charlotte, N.C., via Columbia, S.C.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a) and 406 thereof, and regulations promulgated in 14 CFR Part 302, 14 CFR Part 298, and 14 CFR 385.14(f):

*It is ordered, That:*

1. Ross Aviation, Inc., the Postmaster General, Delta Air Lines, Inc., Eastern Air Lines, Inc., Piedmont Aviation, Inc., Southern Airways, Inc., and all other interested persons are directed to show cause why the Board should not adopt the foregoing proposed findings and conclusions and fix, determine, and publish the final rate specified above for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith as specified above as the fair and reasonable rate of compensation to be paid to Ross Aviation, Inc.;

2. Further procedures herein shall be in accordance with 14 CFR Part 302, and notice of any objection to the rate or to the other findings and conclusions proposed herein, shall be filed within 10 days, and if notice is filed, written answer and supporting documents shall be filed within 30 days after service of this order;

3. If notice of objection is not filed within 10 days after service of this order, or if notice is filed and answer is not filed within 30 days after service of this order, all persons shall be deemed to have waived the right to a hearing and all other procedural steps short of a final decision by the Board, and the Board may enter an order incorporating the findings and conclusions proposed herein and fix and determine the final rate specified herein;

4. If answer is filed presenting issues for hearing, the issues involved in determining the fair and reasonable final rate shall be limited to those specifically raised by the answer, except insofar as other issues are raised in accordance with Rule 307 of the rules of practice (14 CFR 302.307); and

5. This order shall be served upon Ross Aviation, Inc., the Postmaster General, Delta Air Lines, Inc., Eastern Air Lines, Inc., Piedmont Aviation, Inc., and Southern Airways, Inc.

This order will be published in the FEDERAL REGISTER.

[SEAL] HAROLD R. SANDERSON,  
Secretary.

[F.R. Doc. 69-1308; Filed, Jan. 30, 1969;  
8:49 a.m.]



# FEDERAL POWER COMMISSION

[Docket No. G-16310]

FAIR OIL CO. ET AL.

## Order Conditionally Accepting Offer of Settlement, Requiring Filing of Contract Amendment and Terminating Proceeding

JANUARY 23, 1969.

On December 27, 1968, Fair Oil Co. (Operator) et al. (Fair) submitted an offer of settlement in this proceeding, pursuant to § 1.18(e) of the Commission's rules of practice and procedure. The offer involves a proposed increased rate for a sale of natural gas made to Mississippi River Transmission Corp. by Fair under its FPC Gas Rate Schedule No. 1 in Harrison County, Tex. (Texas R.R. Com. District No. 6). The proposed increased rate of 13.6296 cents per Mcf was suspended by order of the Commission in Docket No. G-16310, and has not been made effective subject to refund by Fair.

Under the terms of the offer, Fair filed a notice of change in rate to 15 cents per Mcf, and a contract amendment eliminating all price escalation provisions, with the exception of a provision for reimbursement of future tax increases, from its rate schedule.

The proposed settlement is consistent with the provisions of § 2.56(3) of the Commission's General Policy and Interpretations, rules of practice and procedure, except that the term of the sales contract expires in February 1972, and, therefore, does not meet the 5-year requirement of paragraph (c) of said section. Consequently, we shall condition our approval of the offer to require Fair to amend the contract to comply with § 2.56(3) (c). As so conditioned, acceptance of the offer of settlement would serve the public interest.

However, we desire to make it clear that our conditional acceptance of Fair's offer of settlement shall not be construed as approval of any future increased rate filed in accordance with its reservation of the right to file rate increases to cover any possible future tax increases. Our action herein is also without prejudice to any findings, or order of the Commission in any future proceedings, including area rate or other similar proceedings, involving Fair's rate and rate schedule.

The Commission finds: The proposed settlement of the above-designated proceeding, on the basis described herein, as more fully set forth in the offer of settlement filed with the Commission on December 27, 1968, as conditioned, is in the public interest, and appropriate to carry out the provisions of the Natural Gas Act, and should be approved and made effective as hereinafter ordered.

The Commission orders:

(A) The offer of settlement filed with the Commission by Fair on December 27, 1968, as conditioned herein, is approved in accordance with the provisions of this order.

(B) Fair shall file, within 30 days from the date of issuance of this order, an

executed contractual amendment to its FPC Gas Rate Schedule No. 1, extending the term of the contract for at least 5 years from the date of issuance of this order. The contractual amendment shall be submitted in accordance with Part 154 of the Commission's regulations under the Natural Gas Act.

(C) Upon notification by the Secretary of the Commission that Fair has complied with the terms and conditions of this order, the rate and charge of 15 cents per Mcf at 14.65 p.s.i.a., specified in its offer of settlement, shall be effective as of January 27, 1969, and the above designated proceeding shall be deemed terminated.

(D) The acceptance by the Commission of Fair's offer of settlement is without prejudice to any findings or determinations that may be made in any proceeding now pending, or hereafter instituted by or against Fair, including area rate or other similar proceedings.

By the Commission.

[SEAL]

GORDON M. GRANT,  
Secretary.

[F.R. Doc. 69-1261; Filed, Jan. 30, 1969;  
8:45 a.m.]

[Docket No. CS69-24 etc.]

C. E. LaRUE ET AL.

## Notice of Applications for "Small Producer" Certificates<sup>1</sup>

JANUARY 23, 1969.

Take notice that each of the Applicants listed herein has filed an application pursuant to section 7(c) of the Natural Gas Act and § 157.40 of the regulations thereunder for a "small producer" certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce from the Permian Basin and Southern Louisiana areas, all as more fully set forth in the applications which are on file with the Commission and open to public inspection.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 13, 1969.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter believes that a grant of the certificates is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal

<sup>1</sup> This notice does not provide for consolidation for hearing of the several matters covered herein.

hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

GORDON M. GRANT,  
Secretary.

Docket No.	Date filed	Name of applicant
CS69-24 <sup>1</sup>	12-27-68	C. E. LaRue et al., Post Office Box 196, Artesia, N. Mex. 88210.
CS69-25 <sup>1</sup>	1-3-69	Dicklyn Corp. (Operator) et al. (formerly Dicklyn Drilling Corp. (Operator) et al.), Post Office Box 3427, Odessa, Tex. 79760.
CS69-26 <sup>2</sup>	1-3-69	Tribune Oil Corp., 230 Park Ave., New York, N.Y. 10017.
CS69-27 <sup>1</sup>	1-13-69	C. E. Long et al., Post Office Box 1578, Midland, Tex. 79701.

<sup>1</sup> Permian Basin area.

<sup>2</sup> Southern Louisiana area.

[F.R. Doc. 69-1262; Filed, Jan. 30, 1969;  
8:45 a.m.]

# FEDERAL RESERVE SYSTEM

## FEDERAL OPEN MARKET COMMITTEE

### Current Economic Policy Directive

In accordance with § 271.5 of its Rules Regarding Availability of Information, there is set forth below the Committee's Current Economic Policy Directive issued at its meeting held on October 29, 1968.<sup>2</sup>

The information reviewed at this meeting suggests that overall economic expansion has moderated somewhat from its very rapid pace earlier in the year, although less than projected, and that upward pressures on prices and costs are persisting. Market interest rates have risen in recent weeks. Bank credit and time and savings deposits have continued to expand rapidly, but savings inflows to thrift institutions have remained moderate. The money supply, after growing little on balance during the summer, has increased in recent weeks. The U.S. foreign trade balance and underlying payments position continue to be matters of serious concern. In this situation, it is the policy of the Federal Open Market Committee to foster financial conditions conducive to sustainable economic growth, continued resistance to inflationary pressures, and attainment of reasonable equilibrium in the country's balance of payments.

To implement this policy, while taking account of the current Treasury financing, System open market operations until the next meeting of the Committee shall be conducted with a view to maintaining about the prevailing conditions in money and short-term credit markets: *Provided, however*, That operations shall be modified, to the extent permitted by the Treasury financing, if bank credit expansion appears to be exceeding current projections.

Dated at Washington, D.C., the 24th day of January 1969.

<sup>2</sup> The Record of Policy Actions of the Committee for the meeting of Oct. 29, 1968, is filed as part of the original document. Copies are available on request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551.

By order of the Federal Open Market Committee.

ARTHUR L. BROIDA,  
Assistant Secretary.

[F.R. Doc. 69-1276; Filed, Jan. 30, 1969;  
8:46 a.m.]

### MIDWEST BANCORPORATION, INC.

#### Notice of Application for Approval of Acquisition of Shares of Banks

Notice is hereby given that application has been made to the Board of Governors of the Federal Reserve System pursuant to section 3(a)(1) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(1)), by Midwest Bancorporation, Inc., Kansas City, Mo., for prior approval of the Board of action whereby Applicant would become a bank holding company through the acquisition of over 80 percent of the voting shares of each of the following banks: Laurel Bank, Raytown, Mo., and Platte Woods Bank, Platte Woods, Mo.

Section 3(c) of the Act, as amended, provides that the Board shall not approve (1) any acquisition or merger or consolidation under this section which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or (2) any other proposed acquisition or merger or consolidation under this section whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless it finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

Section 3(c) further provides that, in every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. The application may be inspected at the office of the Board of Governors or the Federal Reserve Bank of Kansas City.

Dated at Washington, D.C., this 24th day of January 1969.

By order of the Board of Governors.

[SEAL] ROBERT P. FORRESTAL,  
Assistant Secretary.

[F.R. Doc. 69-1277; Filed, Jan. 30, 1969;  
8:46 a.m.]

### TENNESSEE FINANCIAL CORP.

#### Order Approving Application Under Bank Holding Company Act

In the matter of the application of Tennessee Financial Corp., Kingsport, Tenn., for approval of action to become a bank holding company through the acquisition of 50.1 percent or more of the voting shares of Carter County Bank of Elizabethton, Elizabethton, Tenn.

There has come before the Board of Governors, pursuant to section 3(a)(1) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(1)), and § 222.3(a) of Federal Reserve Regulation Y (12 CFR 222.3(a)), and application by Tennessee Financial Corp., Kingsport, Tenn., for the Board's prior approval of action whereby Applicant would become a bank holding company through the acquisition of 50.1 percent or more of the voting shares of Carter County Bank of Elizabethton, Elizabethton, Tenn. Applicant presently owns 31.98 percent of the voting shares of First Peoples Bank, Johnson City, Tenn.

Notice of receipt of the application was published in the FEDERAL REGISTER on July 18, 1968 (33 F.R. 10294), providing an opportunity for interested persons to submit comments and views with respect to the proposed transaction. A copy of the application was forwarded to the U.S. Department of Justice for its consideration.

As required by section 3(b) of the Act, the Board gave written notice of receipt of the application to the Tennessee Superintendent of Banks and requested his views and recommendation thereon. In his reply, which was delayed due to illness, the Superintendent recommended that the application not be approved. Although such recommendation was received after the 30-day period provided by section 3(b), making unnecessary the conduct of a public hearing on the application, the Board, acting in its discretion, ordered that an oral presentation of views be conducted before the Board, in order that all interested parties would have an opportunity to fully state and support their views. Notice of the oral presentation was published in the FEDERAL REGISTER (33 F.R. 14091), and, in accordance therewith, an oral presentation was held at the Board's offices on October 9, 1968. All participants were afforded full opportunity to support their positions by oral statement and documentary evidence, and were permitted an opportunity, following the oral presentation, for the filing of briefs.

Having considered all matters properly before the Board in this proceeding:

It is hereby ordered, For the reasons set forth in the Board's statement<sup>1</sup> of

<sup>1</sup> Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of Atlanta.

this date, that said application be and hereby is approved: *Provided*, That the action so approved shall not be consummated (a) before the 30th calendar day following the date of this order or (b) later than 3 months after the date of the order, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Atlanta pursuant to delegated authority.

Dated at Washington, D.C., this 22d day of January 1969.

By order of the Board of Governors.<sup>2</sup>

[SEAL] ROBERT P. FORRESTAL,  
Assistant Secretary.

[F.R. Doc. 69-1278; Filed, Jan. 30, 1969;  
8:46 a.m.]

## GENERAL SERVICES ADMINISTRATION

[Federal Property Management Regs.; Temporary Reg. F-39]

### ADMINISTRATOR, NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

#### Delegation of Authority

1. *Purpose.* This regulation delegates authority to the Administrator, National Aeronautics and Space Administration, to represent the customer interest of NASA in a telecommunications service proceeding.

2. *Effective date.* This regulation is effective immediately.

3. *Delegation.* a. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, et seq., as amended, particularly sections 201(a)(4) and 205(d) (40 U.S.C. 481(a)(4) and 486(d)), authority is delegated to the Administrator, NASA, to represent the interests of NASA before the Federal Communications Commission in a proceeding involving certain applications of ITT World Communications, Inc. (FCC Docket No. 18411).

b. The Administrator, NASA, may redelegate this authority to any officer, official, or employee of NASA.

c. This authority shall be exercised in accordance with the policies, procedures, and controls prescribed by the General Services Administration, and further, shall be exercised in cooperation with the responsible officers, officials, and employees thereof.

Dated: January 24, 1969.

LAWSON B. KNOTT, Jr.,  
Administrator of General Services.

[F.R. Doc. 69-1290; Filed, Jan. 30, 1969;  
8:47 a.m.]

<sup>2</sup> Voting for this action: Vice Chairman Robertson and Governors Mitchell, Daane, Maisel, Brimmer, and Sherrill. Absent and not voting: Chairman Martin.



# SECURITIES AND EXCHANGE COMMISSION

[811-1617]

## AMERICAN EQUITY INVESTMENT PLANS

### Notice of Filing of Application for Order Declaring Company Has Ceased To Be Investment Company

JANUARY 27, 1969.

Notice is hereby given that American Equity Investment Plans ("American Equity"), 3301 Van Buren Street, Topeka, Kans. 66611, a unit investment trust registered under the Investment Company Act of 1940 ("Act"), has filed an application pursuant to section 8(f) of the Act for an order declaring that American Equity has ceased to be an investment company as defined in the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein which are summarized below.

Pursuant to section 8(a) of the Act, American Equity filed a notification of registration on March 1, 1968. At the time the notification of registration was filed, American Equity proposed to ultimately offer its securities to the general public. By reason of business considerations, however, American Equity has now abandoned its contemplated public offering, and has also abandoned any proposal to engage in business as an investment company. It has no assets and has no securities outstanding.

Section 8(f) of the Act provides, in pertinent part, that when the Commission, upon application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order, and upon the taking effect of such order, the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than February 18, 1969, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address set forth above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated

in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL]

ORVAL L. DuBOIS,  
Secretary.[F.R. Doc. 69-1279; Filed, Jan. 30, 1969;  
8:46 a.m.]

## CRESTLINE URANIUM & MINING CO.

### Order Suspending Trading

JANUARY 27, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Crestline Uranium & Mining Co., Denver, Colo., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

*It is ordered*, Pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period January 27, 1969, at 10:45 a.m., e.s.t., through February 5, 1969, both dates inclusive.

By the Commission.

[SEAL]

OVAL L. DuBOIS,  
Secretary.[F.R. Doc. 69-1280; Filed, Jan. 30, 1969;  
8:46 a.m.]

[811-415]

## INVESTORS DIVERSIFIED SERVICES, INC.

### Notice of Filing of Application De- claring That Company Has Ceased To Be Investment Company

JANUARY 27, 1969.

Notice is hereby given that Investors Diversified Services, Inc. ("Applicant"), 800 Investors Building, Minneapolis, Minn. 55402, a Minnesota corporation registered as a face-amount certificate investment company under the Investment Company Act of 1940 ("Act"), has filed an application pursuant to section 8(f) of the Act for an order declaring that Applicant has ceased to be an investment company as defined in the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

On December 30, 1940, Applicant registered under the Act as a face-amount certificate investment company. From its organization in 1894 until December 31, 1940, Applicant was engaged exclusively

in the issuance and sale of face-amount certificates. At December 31, 1940, Applicant maintained 390,654 face-amount certificate accounts, with respect to which it maintained reserves of \$154,143,760, which represented an aggregate face (maturity) value of \$988,924,480.

Upon the effectiveness of the Act, Applicant ceased the issuance of face-amount certificates, and in the period subsequent thereto has continuously acted as principal underwriter of the securities issued by, and investment advisor for, several registered open-end management investment companies organized by it, and its wholly owned subsidiary, Investors Syndicate of America, Inc., a registered face-amount certificate company. At December 31, 1967, according to Applicant, the open-end investment companies had aggregate net assets of \$6,121,178,255 (representing approximately 14 percent of all mutual fund assets at that date) and Applicant had outstanding 6,264 certificate accounts, representing an aggregate face (maturity) value of \$6,425,429, with respect to which it maintained reserves of \$21,823,714.

Applicant states that in the period from 1941 to 1967 its gross income from the underwriting and distribution of securities issued by its associated companies had risen consistently both in absolute terms and as a proportion of Applicant's gross income. Applicant's gross underwriting income amounted to \$1,357,923 or 11 percent of its consolidated gross income in 1941, as compared with \$37,663,726 or 60 percent thereof in 1967. In this same period Applicant's income from investment advisory fees increased from \$44,018 or one-half of 1 percent of gross income in 1941 to \$19,940,678 or 32 percent of gross income in 1967 and its investment income, including principally dividends (other than from wholly owned subsidiaries) and interest declined from \$7,880,107 or 61 percent of gross income in 1941 to \$4,534,288 or 7 percent of gross income in 1967.

Applicant represents that it has a sales force of 3,662 full-time sales representatives, including 635 district and 172 divisional sales managers, who operate in all 50 States under exclusive contract with Applicant, sell no securities other than those underwritten by Applicant, and virtually all of whose earnings come from Applicant's underwriting business. Applicant also represents that the members of its sales force have been considered by the Commission, since at least 1951, to be "affiliated persons" of Applicant for purposes of the Act, and that Applicant has stipulated with the Commission that Applicant's sales representatives, including divisional and district managers, are "persons associated" with Applicant within the meaning of section 3(a) (18) of the Securities Exchange Act of 1934 and that Applicant has assumed responsibility for all valid claims arising out of all securities activities of such persons and has undertaken full responsibility for their compliance with all applicable provisions of the

Federal securities laws. Applicant also represents that in addition to its sales representatives, 212 of its 941 employees at December 31, 1967, were engaged exclusively in activities relating to its securities distribution business and that an additional 120 employees were principally engaged in sales-related activities, while 432 administrative and accounting employees were engaged in both sales-related and advisory- and service-related activities.

Applicant states that it had total assets, at December 31, 1967, of \$198,984,846 (with securities of unaffiliated issuers taken at cost) and that at such date its investments in securities of issuers other than subsidiaries amounted to 27 percent of total assets valued at cost or 32 percent of total assets valued at market. Applicant's portfolio turnover during the 5-year period 1963 through 1967 averaged only 4.72 percent. Applicant also asserts that since 1949 its certificate reserves as a percentage of total assets have declined from 98 percent of total assets on December 31, 1949, to 11 percent of total assets at December 31, 1967, and that its equity for common stockholders has increased, such equity exceeding certificate liabilities at all times since 1961, being more than twice as large at the end of 1963, four times as large at the end of 1965, and over six times as large at December 31, 1967.

Applicant asserts that it is known in the investment community not as an "investment company" but, rather, as a unique financial services institution. Applicant refers to the description of the company in Moody's, Bank and Finance Manual, Wiesenberger's, Investment Companies, 1968, Mutual Funds and Other Types, to its reports to the State of New York under the New York Business Corporation Law and to the description of Applicant included in the prospectuses of its associated mutual fund companies, which, in substance, refer to Applicant as an underwriter and distributor of securities and as the parent company of the Investors Group. In addition to its investment company distribution and management businesses, Applicant now has subsidiaries which are engaged in the life insurance, equipment leasing and financing, consumer credit, mortgage banking, and real estate ownership, management, and financing businesses. Applicant also states that on April 23, 1968, its stockholders, by a vote of 11,778,607 to 126,098, adopted a resolution authorizing Applicant to cease to be an investment company and authorizing Applicant's directors and officers to take all actions necessary or appropriate to effect such result.

Applicant has undertaken that if the order sought is granted, and as a condition to the grant of such order, (i) so long as any face-amount certificate issued by Applicant remains outstanding in accordance with its terms, Applicant will, in respect to such certificates, maintain qualified assets in such amounts and of such character as would be required if the provisions of section 28(a) and 28(b) were applicable; and (ii) it will not issue, sell, or offer for sale any face-

amount certificate issued by it, other than solely to the holders of certificates previously issued pursuant to obligations expressed or implied in such certificates, as contemplated by section 28(g) of the Act.

Applicant states that it will continue to be registered as a broker-dealer under the Securities Exchange Act of 1934, that its common stock is listed on the American Stock Exchange and that its stockholders will continue to have the protection of the disclosure, reporting, and proxy solicitation requirements of the Securities Exchange Act of 1934.

Applicant asserts that it is primarily engaged in the business of underwriting and distributing securities issued by other persons and that its gross income normally is derived from such business and that it is not, therefore, by reason of section 3(c)(2) of the Act, an "investment company" within the meaning of the Act and is entitled to an order of the Commission under section 8(f) of the Act so declaring and terminating Applicant's registration under the Act.

Section 3(c)(2) of the Act provides that notwithstanding the definition of investment company in section 3(a) of the Act, any person primarily engaged in the business of underwriting and distributing securities issued by other persons, selling securities to customers and acting as broker, or any one or more of such activities, whose gross income normally is derived principally from such business and related activities is not an investment company within the meaning of the Act.

Section 8(f) of the act provides, in pertinent part, that when the Commission upon application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order, which may be made upon appropriate conditions necessary for the protection of investors, and upon the taking effect of such order the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than February 18, 1969, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the address set forth above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated

in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in such matter, including the date of the hearing (if ordered) and any postponements thereof.

By the Commission. —

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 69-1281; Filed, Jan. 30, 1969;  
8:47 a.m.]

[812-2374]

## LINCOLN NATIONAL LIFE INSURANCE CO. AND LINCOLN NATIONAL VARIABLE ANNUITY FUND A

### Notice of Application for Exemption

JANUARY 27, 1969.

Notice is hereby given that The Lincoln National Life Insurance Co. ("The Lincoln"), and Lincoln National Variable Annuity Fund A ("Separate Account") (hereinafter "Applicants"), 1301 South Harrison Street, Fort Wayne, Ind. 46802, have filed an application pursuant to section 6(c) of the Investment Company Act of 1940, 15 U.S.C. sec. 80a-1 et seq. ("Act"), for an order exempting Applicants from the provisions of section 22(d) of the Act. The Lincoln established Separate Account as the facility through which it will set aside and invest assets attributable to variable annuity contracts qualifying for certain tax deferred benefits under the Internal Revenue Code of 1954, as amended. Separate Account is an open-end diversified management investment company registered under the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein which are summarized below.

Section 22(d) provides, in pertinent part, that no registered investment company shall sell any redeemable security issued by it to any person except at a current offering price described in the prospectus. This section has been construed as prohibiting variations in the sales load except on a uniform basis.

In connection with the sale of variable annuity contracts, charges from payments are deducted in order to cover sales and administrative expenses (and minimum death benefits where elected).

Applicants propose to eliminate the sales and administrative expense charges in cases where a variable annuity contract is purchased by application of amounts payable by The Lincoln as a lump sum cash distribution under an insurance contract issued by The Lincoln (e.g., the death benefit under a life policy, the maturity value of an endowment-type contract and cash options available to beneficiaries).

Applicants assert that from the point of view of equitable treatment of contract owners, no unfair discrimination

would exist under the proposed elimination of such charges. In all cases a sales charge on the premiums under The Lincoln insurance contracts will have been paid. The purpose of eliminating the sales charges on such transactions is to avoid cumulating such sales charges.

Applicants also assert that such elimination of charges is in the interest of investors and the public; that no unfair discrimination between contract owners participating in the Fund would result therefrom; and that such elimination of charges would be consistent with the policies of the Act.

Section 6(c) of the Act provides, among other things, that the Commission, by order upon application, may conditionally or unconditionally exempt any person from any provision or provisions of the Act or of any rule or regulation thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than February 14, 1969 at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicants at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 69-1282; Filed, Jan. 30, 1969; 8:47 a.m.]

[812-2375]

## LINCOLN NATIONAL LIFE INSURANCE CO. AND LINCOLN NATIONAL VARIABLE ANNUITY FUND B

### Notice of Application for Exemption

JANUARY 27, 1969.

Notice is hereby given that The Lincoln National Life Insurance Co. ("The Lincoln"), and Lincoln National Variable Annuity Fund B, ("Separate Account") (hereinafter "Applicants"), 1301 South Harrison Street, Fort Wayne, Ind. 46802, have filed an application pursuant to section 6(c) of the Investment Company Act of 1940, 15 U.S.C. sec. 80a-1 et seq. ("Act"), for an order exempting Applicants from the provisions of section 22(d) of the Act. The Lincoln established Separate Account as the facility through which it will set aside and invest assets attributable to variable annuity contracts not qualifying for certain tax deferred benefits under the Internal Revenue Code of 1954, as amended. Separate Account is an open-end diversified management investment company registered under the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein which are summarized below.

Section 22(d) provides, in pertinent part, that no registered investment company shall sell any redeemable security issued by it to any person except at a current offering price described in the prospectus. This section has been construed as prohibiting variations in the sales load except on a uniform basis.

In connection with the sale of variable annuity contracts, charges from payments are deducted in order to cover sales and administrative expenses (and minimum death benefits where elected).

Applicants propose to eliminate the charges for sales and administrative expenses in cases where a variable annuity contract is purchased by application of amounts payable by The Lincoln as a lump sum cash distribution under an insurance contract issued by The Lincoln (e.g., the death benefit under a life policy, the maturity value of an endowment-type contract and cash options available to beneficiaries).

Applicants assert that from the point of view of equitable treatment of contract owners, no unfair discrimination would exist under the proposed elimination of such charges. In all cases a sales charge on the premiums under The Lincoln insurance contracts will have been paid. The purpose of eliminating the sales charges on such transaction is to avoid cumulating such sales charges.

Applicants also assert that such elimination of charges is in the interest of investors and the public; that no unfair discrimination between contract owners participating in the Fund would result therefrom; and that such elimination of charges would be consistent with the policies of the Act.

Section 6(c) of the Act provides, among other things, that the Commis-

sion, by order upon application, may conditionally or unconditionally exempt any person from any provision or provisions of the Act or of any rule or regulation thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than February 14, 1969 at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicants at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 69-1283; Filed, Jan. 30, 1969; 8:47 a.m.]

## NURSUL OIL & MINING LTD.

### Order Suspending Trading

JANUARY 27, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Norsul Oil & Mining Ltd., Calgary, Alberta, Canada, being traded in the United States otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to section 15 (c) (5) of the Securities Exchange Act of 1934, that trading in the United States in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period January 27, 1969,

through February 5, 1969, both dates inclusive.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 69-1284; Filed, Jan. 30, 1969;  
8:47 a.m.]

## INTERSTATE COMMERCE COMMISSION

### FOURTH SECTION APPLICATIONS FOR RELIEF

JANUARY 28, 1969.

Protests to the granting of an application must be prepared in accordance with Rule 1100.40 of the general rules of practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

#### LONG-AND-SHORT HAUL

FSA No. 41547—*Anhydrous ammonia from, to and between western points.* Filed by Southwestern Freight Bureau, agent (No. B-11), for interested rail carriers. Rates on anhydrous ammonia, in tank carloads, as described in the application, from, to and between points in western trunkline and southwestern territories.

Grounds for relief—Carrier competition.

Tariff—Supplement 38 to Southwestern Freight Bureau, agent, tariff ICC 4780.

FSA No. 41548—*Salt from Rittman, Ohio, to Henderson, N.C.* Filed by Traffic Executive Association-Eastern Railroads, agent (E.R. No. 2933), for interested rail carriers. Rates on salt, common (sodium chloride), in bulk, in carloads, as described in the application, from Rittman, Ohio, to Henderson, N.C.

Grounds for relief—Market competition.

Tariff—Supplement 48 to Traffic Executive Association-Eastern Railroads, agent, tariff ICC C-262.

FSA No. 41549—*Chlorine from St. Gabriel, La.* Filed by O. W. South, Jr., agent (No. A6078), for interested rail carriers. Rates on chlorine, in tank carloads, from St. Gabriel, La., to Selma, Ala., Louisville, Ky., and Kingsport, Tenn.

Grounds for relief—Market competition.

Tariff—Supplement 83 to Southern Freight Association, agent, tariff ICC S-699.

FSA No. 41551—*Calcium from Mosher, Mo.* Filed by Southwestern Freight Bureau, agent (No. B-6), for interested rail carriers. Rates on calcium, carbonate of, in carloads, as described in the application, from Mosher, Mo., to points in of-ficial territory.

Grounds for relief—Market competition.

Tariffs—Supplements 270 and 124 to Traffic Executive Association-Eastern

Railroads, agent, tariffs ICC C-383 and C-382, respectively.

FSA No. 41552—*Beet pulp from Billings, Mont.* Filed by Trans-Continental Freight Bureau, agent (No. 454), for interested rail carriers. Rates on beet pulp, as described in the application, in carloads, from Billings, Mont., to points in New Mexico, Oklahoma, and Texas.

Grounds for relief—Market competition, modified short-line distance formula and grouping.

Tariff—Supplement 134 to Trans-Continental Freight Bureau, agent, tariff ICC 1725.

#### AGGREGATE-OF-INTERMEDIATES

FSA No. 41550—*All-rail LCL class rates between points in southwestern territory.* Filed by J. D. Hughett, agent (No. 90), for interested rail carriers. Rates on various commodities moving on all-rail LCL class rates, between points in southwestern territory, including Mississippi River Crossings, Memphis, Tenn., and south.

Grounds for relief—Maintenance of depressed rates published to meet market competition without use of such rates as factors in constructing combination rates.

By the Commission.

[SEAL]

H. NEIL GARSON,  
Secretary.

[F.R. Doc. 69-1293; Filed, Jan. 30, 1969;  
8:48 a.m.]

[Notice 284]

### MOTOR CARRIER TRANSFER PROCEEDINGS

JANUARY 28, 1969.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-70943. By order of January 17, 1969, the Transfer Board approved the transfer to Haverhill Movers, Inc., Haverhill, Mass., of certificate No. MC-47563, issued October 3, 1966, to Milton N. Mencis and Lloyd R. Butcher, doing business as Haverhill Movers, Haverhill, Mass., authorizing the transportation of household goods between Amesbury, Mass., on the one hand, and, on the other, points in Connecticut and between Amesbury, Mass., and points within 15 miles of Amesbury, on the one hand, and, on the other, points in Maine and New Hampshire, show cases from Amesbury, Mass., to points in Maine and

New Hampshire, lumber from Dover, N.H., to Amesbury, Mass., and boats from Amesbury, Mass., to Providence, Portsmouth, and Westerly, R.I., Greenwich and Hartford, Conn., Wolfeboro, Alton Bay, and Westport, N.H., and Ellsworth and Biddeford, Maine. Kenneth B. Williams, 111 State Street, Boston, Mass. 02109, attorney for applicants.

No. MC-FC-70950. By order of January 17, 1969, the Transfer Board approved the transfer to Chinook Transportation Corp., Tacoma, Wash., of the operating rights in certificate No. MC-126783 issued November 18, 1965, to William E. Hesselgrave, doing business as Puyallup Sumner Stages, Sumner, Wash., authorizing the transportation, over regular routes, of passengers and their baggage, and express and newspapers in the same vehicle with passengers, between Tacoma, Wash., and Fairfax and Orting, Wash., serving specified intermediate points. Vernon L. Lindskog, 202-212 Security Building, Olympia, Wash. 98501, attorney for applicants.

No. MC-FC-71018. By order of January 15, 1969, the Transfer Board approved the transfer to Regent Van & Storage, Inc., 4112 Wheeler Avenue, Alexandria, Va. 22304, of certificate No. MC-109856 (Sub-No. 1), issued August 27, 1965, to Seaboard Van Lines, Inc., 3001 Branch Avenue, Hillcrest Heights, Md. 20031, authorizing the transportation of household goods as defined by the Commission, between Washington, D.C., on the one hand, and, on the other, points in Maryland, Delaware, New Jersey, Pennsylvania, West Virginia, Ohio, Indiana, Illinois, Wisconsin, Michigan, Virginia, Kentucky, North Carolina, South Carolina, Georgia, New York, Connecticut, Rhode Island, and Massachusetts; also between Washington, D.C., on the one hand, and, on the other, points in Maryland and Virginia within 40 miles of Washington.

No. MC-FC-70973. By order of January 17, 1969, the Transfer Board approved the transfer to Hussey's Moving & Storage, Inc., Vallejo, Calif., of the operating rights in certificate No. MC-112241 issued January 8, 1958, to Bert Hussey, doing business as Hussey's, Vallejo, Calif., authorizing the transportation, over irregular routes, of household goods between points in California within 50 miles of Vallejo, Calif., including Vallejo, with certain restrictions. Raymond A. Greene, Jr., 405 Montgomery Street, San Francisco, Calif. 94104, attorney for applicants.

No. MC-FC-71020. By order of January 17, 1969, the Transfer Board approved the transfer to Walter Sessoms, doing business as Sessoms Trucking Co., Roseboro, N.C., of the operating rights in certificate No. MC-117450 (Sub-No. 2) issued November 14, 1963, to Richard Norwood Pate, doing business as Pate Transfer Co., Clinton, N.C., authorizing the transportation of clay products, from points in Sampson County, N.C., to points in New York, New Jersey, Delaware, Connecticut, Maryland, Virginia, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Florida, Ohio, Pennsylvania, Louisiana, Maine, New

Hampshire, Vermont, West Virginia, Indiana, Kentucky, Illinois, and the District of Columbia. R. Maurice Holland, Post Office Box 488, Roseboro, N.C. 28382, attorney for applicants.

[SEAL] H. NEIL GARSON,  
Secretary.

[F.R. Doc. 69-1294; Filed, Jan. 30, 1969;  
8:48 a.m.]

[S.O. 1002; Car Distribution Direction No. 27]

**FLORIDA EAST COAST RAILWAY CO.  
ET AL.**

**Car Distribution**

To: Florida East Coast Railway Co., Seaboard Coast Line Railroad Co., Illinois Central Railroad Co.

Pursuant to section 1 (15) and (17) of the Interstate Commerce Act and authority vested in me by Interstate Commerce Commission Service Order No. 1002.

*It is ordered, That:*

(1) Each common carrier by railroad subject to the Interstate Commerce Act shall comply with the following distribution directions:

(a) The Florida East Coast Railway Co. shall deliver to the Seaboard Coast Line Railroad Co. a weekly total of 175 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 8 feet wide. Exceptions: Canadian ownerships.

(b) The Seaboard Coast Line Railroad Co. shall deliver to the Illinois Central Railroad Co. a weekly total of 175 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 8 feet wide. Exceptions: Canadian ownerships.

*It is further ordered, That* the rate of delivery specified in this direction shall be maintained within weekly periods ending each Sunday at 11:59 p.m., so that at the end of each 7 days the full delivery required for that period shall have been made.

*It is further ordered, That* cars applied under this direction shall be so identified on empty car cards, movement slips, and interchange records as moving under the provisions of this direction.

(c) The carriers delivering the empty boxcars as described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars, covered by this

direction, delivered during the preceding week, ending each Sunday at 11:59 p.m.

(d) The carriers receiving the cars described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars received during the preceding week, ending each Sunday at 11:59 p.m.

(2) *Regulations suspended.* The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(3) *Effective date.* This direction shall become effective at 12:01 a.m., January 29, 1969.

(4) *Expiration date.* This direction shall expire at 11:59 p.m., February 15, 1969, unless otherwise modified, changed, or suspended by order of this Commission.

*It is further ordered, That* a copy of this direction shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this direction be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., January 27, 1969.

INTERSTATE COMMERCE  
COMMISSION,  
R. D. PFAHLER,  
Agent.

[SEAL]

[F.R. Doc. 69-1295; Filed, Jan. 30, 1969;  
8:48 a.m.]

[S.O. 1002; Car Distribution Direction No. 28]

**LOUISVILLE AND NASHVILLE RAILROAD CO. AND ILLINOIS CENTRAL RAILROAD CO.**

**Car Distribution**

Pursuant to section 1 (15) and (17) of the Interstate Commerce Act and authority vested in me by Interstate Commerce Commission Service Order No. 1002.

*It is ordered, That:*

(1) Each common carrier by railroad subject to the Interstate Commerce Act shall comply with the following distribution directions:

(a) The Louisville and Nashville Railroad Co. shall deliver to the Illinois Central Railroad Co. a weekly total of

175 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 8 feet wide. Exception: Canadian ownerships.

*It is further ordered, That* the rate of delivery specified in this direction shall be maintained within weekly periods ending each Sunday at 11:59 p.m., so that at the end of each 7 days the full delivery required for that period shall have been made.

*It is further ordered, That* cars applied under this direction shall be so identified on empty car cards, movement slips, and interchange records as moving under the provisions of this direction.

(b) The carrier delivering the empty boxcars as described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending each Sunday at 11:59 p.m.

(c) The carrier receiving the cars described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars received during the preceding week, ending each Sunday at 11:19 p.m.

(2) *Regulations suspended.* The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(3) *Effective date.* This direction shall become effective at 12:01 a.m., January 29, 1969.

(4) *Expiration date.* This direction shall expire at 11:59 p.m., February 15, 1969, unless otherwise modified, changed or suspended by order of this Commission.

*It is further ordered, That* a copy of this direction shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this direction be given to the general public by depositing a copy in the Office of the Secretary of the Commission in Washington, D.C., and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., January 27, 1969.

INTERSTATE COMMERCE  
COMMISSION,  
R. D. PFAHLER,  
Agent.

[SEAL]

[F.R. Doc. 69-1296; Filed, Jan. 30, 1969;  
8:48 a.m.]

## CUMULATIVE LIST OF PARTS AFFECTED—JANUARY

The following numerical guide is a list of parts of each title of the Code of Federal Regulations affected by documents published to date during January

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